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Industrial Relations LAW REPORTS

8 YEAR INDEX

(January 1982 to December 1989)

8 YEAR INDEX

This index is to cases reported in the last eight volumes of Industrial Relations Law Reports (1982 to 1989). The index is divided into three sections – the Casemark reference system, an Alphabetical Index to Cases Reported and a Cumulative Index of Cases Reported. With the aid of this eight-year index, readers will be able to refer readily to either a particular case or a group of cases on the same or related issues. Cases reported in IRLR before 1982 (September 1972 to December 1981) are listed in the previously published 10-year index.

The Casemark reference system (p.2)

IRLR's unique Casemark reference system breaks down the main issues under relevant jurisdictions into numerical references. Each separate jurisdiction is identified by a number in the hundreds – for example, 200 Unfair Dismissal. Under that main head, major issues are referred to by numbers in the tens – eg, 230-239 Reason for dismissal. This range is then sub-divided into various aspects – eg, 234 Conduct. Where appropriate, there is a further breakdown to one decimal place according to particular issues – eg, 234.3 Refusal to co-operate with management. In some cases where the issues can be specified still further, the reference goes to two decimal places – eg, 234.36 Refusal to obey an order. The Casemark system is used regularly in IRLR to identify the key issues in the cases reported.

Alphabetical Index to Cases Reported (p.5)

This index lists all cases alphabetically under the name of the applicant or appellant. The reference beside each entry gives the year and page number at which the case was reported. Industrial Tribunal cases are shown in roman type; all others are in italics.

Cumulative Index of Cases (p.9)

Using the Casemark reference system, the Cumulative Index lists cases reported under key issues. It follows the same order as Casemark, starting with Contracts of Employment. To use the Cumulative Index, you will first need to refer to Casemark to establish the numerical reference of the issue with which you are concerned. For example, if you want to refer to cases dealing with employees who have been dismissed for lateness, you would look first under the main unfair dismissal head, then under reason for dismissal, then conduct and finally under attendance where you would find lateness numbered 234.11. Looking then at the cumulative index under 234.11 Reason for dismissal – Conduct – Attendance – Lateness, you will find listed all the cases concerning lateness that we have reported in the last eight years. These appear in year order beginning with 1989. For each year, the cases are then listed in numerical page order beginning with p.1. Once again, Industrial Tribunal cases appear in roman type and all other cases in italic.

As many cases involve more than one issue, a particular case may well appear in the cumulative index under more than one heading.

Using the Index

If you want to refer to a particular case and you know the name of the case, then the Alphabetical Index to cases will indicate if and when we reported the case in IRLR. If you are not sure of the name of the case but know the issue with which it dealt, then by first referring to Casemark as described above, you could use the Cumulative Index to find the report of the case.

If you wish to refer to all the cases that we have reported on a specific issue, then you should refer to the Cumulative Index.

Back Copies

If in looking through the Index, you see cases which you find of particular interest, please remember that back copies of IRLR are always available. For further details, contact the Marketing Manager, Industrial Relations Services, 18-20 Highbury Place, London N5 1QP. Tel: 01-354 5858.

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irlr Casemark

100 CONTRACTS OF EMPLOYMENT

- 101 Meaning of "employee"
  - 101.1 Illegal contract
- 110-119 WRITTEN PARTICULARS
  - 110.1 Legal effect
- 111 Items to be specified
  - 111.2 Date employment began
  - 111.5 Job title
  - 111.9 Sick pay
- 115 Exclusions and qualifications
  - 115.5 Excluded cases
- 118 Reference to Tribunal
- 120-139 TERMS OF EMPLOYMENT
  - 120.1 Restrictive covenant
  - 120.2 Secrecy agreement
  - 120.3 Fidelity bond
  - 120.4 Date employment began
  - 120.5 Duration
- 121 Job grading/title
- 122 Job duties
- 123 Place of employment
  - 123.1 Mobility clause
- 124 Pay
  - 124.1 Profit-sharing scheme
  - 124.2 Bonus scheme
  - 124.3 Motor allowance
- 125 Hours of work
  - 125.1 Overtime
- 126 Right to work
- 127 Notice
  - 127.2 Payment in lieu
- 128 Holidays and holiday pay
- 129 Sick pay/sick leave
- 130 Pension rights/retirement
- 131 Duty of fidelity
  - 131.1 Trade secrets
  - 131.2 Confidential information
- 132 Director's fiduciary duty
- 133 Duty to take reasonable care
- 134 Duty of mutual trust and confidence
- 136 Lay off/short-time working
- 137 Appeals procedure
- 138 Disputes procedure
- 139 Disciplinary procedure
- 150 EMPLOYMENT-RELATED TORTS
  - 150.2 Conspiracy
- 160 EFFECT OF COLLECTIVE AGREEMENT
- 169 EFFECT OF WAGES COUNCIL ORDER
- 170-178 TERMINATION
- 171 Wrongful dismissal
- 174 Employer repudiation/constructive dismissal
- 175 Frustration
- 176 By operation of law
- 179 BREACH OF CONTRACT
- 180 CONTINUITY OF EMPLOYMENT
- 190-199 REMEDIES
- 191 Damages
- 192 Declaration
- 193 Injunction
- 194 Order of certiorari
- 195 Anton Piller order
- 196 Specific performance
- 197 Restitution

200 UNFAIR DISMISSAL

- 210-219 EXCLUSIONS AND QUALIFICATIONS
- 211 Meaning of "employee"
  - 211.1 Illegal contract
- 212 Claim in time
- 213 Service qualification
  - 213.1 Effect of strike
  - 213.3 20 or less employees
- 214 Upper age limit
- 215 Excluded cases
  - 215.1 Work ordinarily outside GB
  - 215.3 Claim prior to dismissal
  - 215.5 Excluded classes of employment
    - 215.54 Police service
- 216 Fixed-term contracts
- 217 Weekly hours of work
- 218 Agreement precluding complaint
  - 219.1 Excluded procedure agreement
- 220-225 WAS EMPLOYEE DISMISSED?
- 221 Termination by employer
  - 221.3 Termination of fixed-term contract
  - 221.4 Offer of reinstatement
  - 221.5 Employee's notice during notice period
- 222 Termination by agreement/offer of new employment
- 223 Resignation/employee repudiation
- 224 Employer repudiation/constructive dismissal
  - 224.1 Change in status, title or grade
  - 224.2 Change in job content
  - 224.3 Change in pay or fringe benefits
  - 224.4 Change in place of work
  - 224.5 Change in hours of work
  - 224.6 Employee's safety
  - 224.9 Other circumstances entitling the employee to terminate
- 225 Frustration of contract
- 226 DATE OF TERMINATION
- 230-239 REASON FOR DISMISSAL
- 231 No reason shown: evidence
- 232 Capability
  - 232.1 Skill/competence
  - 232.2 Health
  - 232.3 Aptitude
  - 232.4 Physical
  - 232.5 Mental
- 233 Qualifications
  - 233.1 Academic
  - 233.2 Technical
  - 233.3 Professional
- 234 Conduct
  - 234.1 Attendance
    - 234.11 Lateness
    - 234.12 Leaving early
    - 234.13 Clocking offences
    - 234.14 Extended meal breaks
    - 234.15 Absenteeism
    - 234.16 Refusal to work hours requested
    - 234.17 Unauthorised leaving of job site
    - 234.18 Unauthorised absence
    - 234.19 Failure to disclose criminal conviction
  - 234.2 Inadequate performance
  - 234.3 Refusal to co-operate with management
    - 234.31 Refusal to accept a change in status, title or grade
    - 234.32 Refusal to accept a change in job content
    - 234.33 Refusal to accept a change in pay
    - 234.34 Refusal to accept a change in place of work
    - 234.35 Refusal to accept a change in hours of work
    - 234.36 Refusal to obey an order
    - 234.37 Insubordination
    - 234.38 Use of bad language with supervisors and management
  - 234.4 Relationship with other employees
    - 234.41 Violence
    - 234.42 Bad language
    - 234.43 Personality conflicts
    - 234.44 Sexual relationships
  - 234.5 Relationship with people other than employees
    - 234.51 Customers
    - 234.52 Suppliers
    - 234.53 Patients
  - 234.6 Alleged or proven criminal acts
    - 234.61 Theft
    - 234.63 Offence unconnected with work
  - 234.7 Breach of company rules
    - 234.71 Safety
    - 234.72 Carelessness/negligence
    - 234.73 Drinking or drunkenness
    - 234.74 Selling/gambling
    - 234.75 Using work equipment wrongfully
    - 234.76 Working in competition
    - 234.77 Dishonesty
    - 234.78 Failure to submit medical certificates
    - 234.79 Refusal to attend disciplinary hearing
  - 234.8 Industrial action
    - 234.81 Inducement to breach of contract
  - 234.9 Other misconduct
    - 234.91 Failure to disclose criminal conviction
- 235 Statutory restriction
- 236 Other substantial reason
  - 236.1 Conflict between employees
  - 236.5 Expiration of fixed-term contract
- 237 Inadmissible reason/union membership grounds
  - 237.1 Trade union
    - 237.11 Membership
    - 237.12 Activities
    - 237.13 Non-membership
  - 237.2 Pressure on employer to dismiss
- 238 Pregnancy
- 239 Transfer of undertaking
  - 239.1 Whether reason connected with transfer
  - 239.2 Economic, technical or organisational reason
- 240-249 WHERE REASON FOR DISMISSAL IS REDUNDANCY
- 241 Whether reason is redundancy
  - 241.1 Qualifications
  - 241.2 Was employee dismissed?
  - 241.3 Was dismissal for purposes of redundancy?
    - 241.31 Cessation of business
    - 241.32 Diminishing work requirements
    - 241.33 At the place of work
  - 241.4 Onus of proof
  - 241.5 Exclusions
    - 241.53 Offer of alternative employment
- 242 Selection for redundancy
  - 242.1 Circumstances applied equally to other employees holding similar positions
  - 242.2 Inadmissible reason
  - 242.3 Contravention of a customary arrangement
    - 242.31 Special reasons for contravention
  - 242.4 Contravention of an agreed procedure
    - 242.41 Special reasons for contravention
  - 242.5 Company policy: reasonableness
    - 242.51 Contravention of company policy
    - 242.52 Special reasons for contravention
- 250-259 SUFFICIENCY OF REASON FOR DISMISSAL
- 251 Onus of proof
- 252 Reasonableness in the circumstances: IR Code of Practice
  - 252.1 Disciplinary procedure
    - 252.11 Fair and effective arrangements
    - 252.12 Agreed with employee representatives
    - 252.13 Formal procedure
    - 252.14 Rules and procedure known to employees
    - 252.15 Circumstances which can lead to penalty known
    - 252.16 Specification of authority
    - 252.17 Opportunity to state case
    - 252.18 Opportunity to be represented
    - 252.19 Opportunity to appeal
  - 252.2 Operating the disciplinary procedure
    - 252.21 Warnings
    - 252.22 Gross misconduct: dismissal for first breach
    - 252.23 Action recorded in writing
    - 252.24 Action against shop steward
  - 252.3 Other parts of the Code
    - 252.31 Effective organisation of work
    - 252.32 Security of employment
- 253 Reasonableness in the circumstances: conduct and capability
  - 253.1 Employer responsibility: other than Code
    - 253.11 Inquiry and investigation
    - 253.12 To establish validity of reason
    - 253.13 To warn of change in practice
    - 253.14 Consistency
    - 253.15 To remedy situation
    - 253.16 Shared responsibility
    - 253.17 To inform employee of reason for dismissal
    - 253.18 To attempt to find alternative employment
  - 253.2 Provocation by superior
  - 253.3 Penalty related to offence
  - 253.4 Injury or illness
    - 253.41 Disabled employee
    - 253.42 Compliance with sick pay procedure
    - 253.43 Warning/consultation
    - 253.44 Attempt to find alternative employment
  - 253.5 Summary dismissal
    - 253.51 Serious negligence
    - 253.52 Violence
    - 253.53 Dishonesty
    - 253.54 Theft
    - 253.55 Gross misconduct
    - 253.56 Offence unconnected with work
  - 253.6 Breach of contract
  - 253.8 Industrial action
- 254 Reasonableness in the circumstances – redundancy
  - 254.1 Attempt to find alternative employment
  - 254.2 Elimination of overtime/short-time working
  - 254.3 Warning
  - 254.4 Consultation
  - 254.5 Basis of selection
  - 254.6 Applying the selection procedure
  - 254.8 Dismissal of apprentice
- 255 Reasonableness in the circumstances – statutory restriction
- 256 Reasonableness in the circumstances – other substantial reason
- 257 Equity and substantial merits of case
  - 257.1 Equity
  - 257.2 Substantial merits of case
- 258 Interests of the business
- 259 Size and administrative resources of the undertaking
- 260-269 DISMISSAL AND INDUSTRIAL ACTION
- 261 Strike
- 262 Other industrial action
- 263 Selection for dismissal
- 264 Selection for offer of re-engagement
- 265 Inadmissible reason
- 266 Date of dismissal
- 267 Lock-out
- 268 Pressure on employer to dismiss
- 270-274 RE-EMPLOYMENT
- 271 Where grounds are well founded
- 272 Where practicable
- 273 In accordance with equity
- 274 Reinstatement/re-engagement
  - 274.1 In same job
  - 274.2 In alternative employment
  - 274.3 In same grade
  - 274.4 At current grade rate
  - 274.6 Terms
    - 274.63 Compensation – interim loss
    - 274.65 Repayment of redundancy payment
  - 274.8 In same capacity
- 275 INTERIM RELIEF
- 280-289 COMPENSATION
- 281 Just and equitable in all the circumstances
- 282 Expenses
- 283 Compensatory award
  - 283.1 Past loss
    - 283.11 Notice period
    - 283.12 Beyond notice period
    - 283.13 Recoupment
  - 283.2 Future loss
    - 283.21 Short term
    - 283.22 Long term
  - 283.3 Present loss
  - 283.4 Loss of potential redundancy payment
  - 283.5 Loss of protection against unfair dismissal
  - 283.6 Loss arising from manner of dismissal
  - 283.7 Loss of pension rights
  - 283.8 Loss of service-related notice entitlement
  - 283.9 Other losses
- 284 Mitigation of loss
- 285 Contributory fault
- 286 Additional award
  - 286.1 Employer refusal to re-employ
- 287 Deductions
- 288 Basic award
- 289 Other
  - 289.1 Compensation by agreement
  - 289.2 Loss not within Tribunal's jurisdiction
  - 289.3 Manner of dismissal
  - 289.4 Interest

289.5 Review
289.6 Special award
290-299 OTHER ASPECTS
291 Representation in Tribunals
292 Costs
293 Tribunal procedure
293.5 Pre-hearing assessment
294 Conciliation
295 Contribution to compensation
296 Voluntary procedure
297 No waiver of rights
298 Discovery and further particulars
299 Advisor's negligence

300 REDUNDANCY PAYMENTS

310-319 EXCLUSIONS AND QUALIFICATIONS
311 Meaning of "employee"
312 Claim in time
313 Service qualification
315.1 Excluded cases – work ordinarily outside GB
316 Fixed-term contracts
317 Was claim settled?
320-325 WAS EMPLOYEE DISMISSED?
321 Termination by employer
321.2 Renewal or engagment
321.3 Termination of fixed-term contract
321.4 Employee's notice during notice period
322 Termination by agreement
322.1 Offer of re-engagement
323 Resignation/employee repudiation
324 Employer repudiation/ constructive dismissal
324.1 Change in status, title or grade
324.2 Change in job content
324.3 Change in pay or fringe benefits
324.4 Change in place of work
324.5 Change in hours of work
325 Frustration of contract
326 CHANGE IN OWNERSHIP OF BUSINESS
327 DATE OF TERMINATION
330-339 WAS DISMISSAL DUE TO REDUNDANCY?
331 Onus of proof
331.1 Statutory presumption
332 Cessation of business
332.3 Place of work
333 Diminishing work requirements
333.1 Employees
333.2 Particular kind of work
333.3 Place of work
338 Employee misconduct
340-349 OFFER OF ALTERNATIVE EMPLOYMENT
341 In writing
342 Suitability
343 Reasonable refusal
345 Trial period
350 LAY OFFS
370-379 CALCULATION OF PAYMENT
371 Written statement
372 Continuity of employment
373 Average weekly rate of remuneration
375 Normal working hours
377 Supervening misconduct dismissal
378 Pension offset
379 Calculation of payment
379.4 Interest
380 Contractual redundancy payments
392 Costs
393 Tribunal procedure
394 Redundancy Fund
396 Redundancy rebates
397 Redundancy payments – no waiver of rights

400 INDIVIDUAL'S RIGHT TO TRADE UNION MEMBERSHIP AND ACTIVITY

410 Right to trade union membership
411 Right to non-membership
412 Right to take part in trade union activity
415 Appropriate time
480 REMEDIES
481 Declaration of rights
482 Compensation
490-499 OTHER
491 Claim in time
492 Costs
496 Discovery

500 EQUAL PAY

501 Meaning of "employment"
510-519 EXCLUSIONS
511 Retirement or death terms or provisions
512 Provision relating to pregnancy or childbirth
513 Claim in time
520-529 TERMS AND CONDITIONS OF EMPLOYMENT LESS FAVOURABLE
521 Pay
524 Sick pay
525 Redundancy payment
526 Calculation of bonus payment
527 Allowances
527.1 Relaxation allowance
527.3 Removal expenses
530-539 LIKE WORK
530 Employed on
531 Same work
532 Broadly similar
533 Whether differences of practical importance
533.1 Frequency of differences
533.2 Nature of differences
533.3 Extent of differences
534 Comparison with employee in the same employment
540-544 WORK RATED AS EQUIVALENT
541 Equal value
542 Job evaluation study
543 Discriminatory system
545-549 WORK OF EQUAL VALUE
545 Scope of claims
546 Screening hearing
546.1 Onus of proof
546.2 Work previously evaluated
546.3 Discriminatory evaluation
547 Independent expert's report
548 Determination of question
550-559 GENUINE MATERIAL DIFFERENCE
551 Merit
552 Grading
553 Additional contractual obligations
553.1 Night work
554 Experience/length of service
555 Special duties
556 Personal differential
556.1 Red-circling
557 Historical reasons
558 Location
559 Other
559.1 Hours of work
559.2 Economic circumstances of employer
559.3 Market forces
560-569 COMPARISON WITH EMPLOYEES IN OTHER ESTABLISHMENTS
561 Common terms and conditions
562 Whether employers are associated
570-579 COLLECTIVE AGREEMENTS
580-589 DAMAGES
581 Declaration
582 Arrears of remuneration
592 Costs
593 Tribunal procedure
596 Discovery
598 Effect of European Community law

600 SEX DISCRIMINATION

601 Meaning of "employee"
610-619 DEFINITIONS
611 Direct discrimination
612 Indirect discrimination
612.1 Requirement/condition with which fewer women can comply
612.11 Physical attributes
612.15 Full-time work
612.16 Age
612.2 Whether justifiable
612.21 Safety and health
612.3 To detriment
613 Discrimination against men
614 Discrimination against married persons
614.1 Direct discrimination
614.2 Indirect discrimination
615 Relevant circumstances the same or not materially different
616 Victimisation
618 Sexual harassment
620-629 EXCLUSIONS AND EXCEPTIONS
621 Meaning of "employee"
622 Claim in time
623 Excluded cases
623.2 Private households
623.3 Midwives
623.4 Work ordinarily outside GB
624 Contractual money benefits
625 Retirement or death provisions
626 Genuine occupational qualifications
626.1 Physiology or authenticity
626.2 Decency or privacy
626.3 Employee lives on premises
626.5 Provision of personal service
627 National security etc
630-639 DISCRIMINATION BY EMPLOYERS
631 Selection arrangements
631.4 Interview
632 Terms offered
633 Refusal to offer employment
634 Promotion, transfer or training
635 Other benefits, facilities or services
636 Dismissal
637 Other detriments
640-649 OTHER UNLAWFUL ACTS
641 Discriminatory advertising
643 Instructions to discriminate
645 Liability of employers and principles
646 Aiding unlawful acts
650-659 DISCRIMINATION BY OTHERS THAN EMPLOYERS
651 Qualifying bodies
654 Education authorities
655 Providers of facilities or services
656 Employment agencies
660-669 POSITIVE ACTION
667 Contract compliance
680-689 INDIVIDUAL REMEDIES
681 Compensation
681.1 Intention to discriminate
681.2 Injury to feelings
681.22 Aggravated damages
681.3 Loss of earnings and other benefits
681.37 Pensions
681.6 Exemplary damages
681.94 Interest
682 Action recommendation
683 Order declaring rights
690-699 OTHER
693 Tribunal procedure
694 Forms for questioning
696 Discovery
697 No waiver of rights
698 Effect of European Community law

700 RACE RELATIONS

701 Meaning of "employee"
710-719 DEFINITIONS
711 Direct discrimination
712 Indirect discrimination
712.1 Requirement/condition with which fewer of a racial group can comply
712.16 Age
712.2 Whether justifiable
712.3 To detriment
713 Racial grounds or group
713.1 Colour
713.2 Race
713.3 Nationality
713.4 Ethnic origins
713.5 National origins
714 Segregation
715 Victimisation
716 Relevant circumstances the same or not materially different
720-729 EXCLUSIONS AND EXCEPTIONS
722 Claim in time
723 Excluded cases
723.4 Work ordinarily outside GB
726 Genuine occupational qualifications
726.5 Provision of personal services
728 Acts done under statutory authority
730-739 DISCRIMINATION BY EMPLOYERS
731 Selection arrangements
732 Terms offered
733 Refusal to offer employment
734 Promotion, transfer or training
735 Other benefits, facilities or services
736 Dismissal
737 Detriments
740-749 OTHER UNLAWFUL ACTS
741 Discriminatory practices
742 Discriminatory advertising
743 Instructions to discriminate
744 Pressure to discriminate
745 Liability of employers and principals
746 Aiding unlawful acts
750-759 DISCRIMINATION BY OTHERS THAN EMPLOYERS
751 Qualifying bodies
752 Trade unions/trade associations
753 Vocational training bodies
755 Providers of facilities or services
756 Employment agencies
760-769 POSITIVE ACTION
767 Contract compliance
770-779 ENFORCEMENT BY CRE
771 Formal investigation
772 Issue of non-discrimination notice
773 Appeal against non-discrimination notice
780-789 INDIVIDUAL REMEDIES
781 Compensation
781.2 Injury to feelings
781.22 Aggravated damages
781.3 Loss of earnings and other benefits
781.6 Exemplary damages
782 Action recommendation
790-799 OTHER
792 Costs
793 Tribunal procedure
794 Forms for questioning
796 Discovery
797 Further particulars

800 EMPLOYMENT PROTECTION RIGHTS

810 WRITTEN REASON FOR DISMISSAL
820 GUARANTEED PAY
830 MATERNITY PAY
840 MATERNITY LEAVE
850 TIME OFF FOR TRADE UNION DUTIES/ TRAINING
860 TIME OFF FOR TRADE UNION ACTIVITIES
870 TIME OFF FOR PUBLIC DUTIES
880 TIME OFF TO LOOK FOR WORK
890 OTHERS
891 Insolvency
892 Itemised pay statement
893 Time off for ante-natal care

900 MISCELLANEOUS LEGISLATION

910 REHABILITATION OF OFFENDERS ACT
911 Spent conviction
920 TRUCK ACTS/WAGES ACT
921 Unlawful deduction from wages
922 Meaning of "wages"
930 TRADE UNION ACT
940 LOCAL GOVERNMENT ACT
950 FAIR EMPLOYMENT (NORTHERN IRELAND) ACT
960 MISREPRESENTATION ACT
970 TRANSFER OF UNDERTAKINGS REGULATIONS
979 EEC Transfer of Undertakings Directive
980 PATENTS ACT

1100 TRADE UNION RECOGNITION

1200 DISCLOSURE OF INFORMATION

1270 CONFIDENTIALITY

1300 UNION MEMBERSHIP AGREEMENTS

1395 European Convention of Human rights

1400 COLLECTIVE AGREEMENTS

1401 Definition of worker
1410 LEGAL ENFORCEABILITY
1416 Union as agent for member

1500 INDUSTRIAL ACTION

1510 DEFINITIONS
1511 Contemplation or furtherance of trade dispute
1512 Due notice of strike
1513 Inducement to breach of contract
1515 Lock-out
1516 Union as agent for member
1517 Union liability
1518 Peaceful picketing
1520-9 TORT IMMUNITIES
1523 Breach of contract

1525 Strike ballot
1540-9 SECONDARY ACTION
1543 Suppliers/customers
1560-9 TORT LIABILITY
1561 Interference with business by unlawful means
1562 Trespass
1563 Nuisance
1564 Interference with contract by unlawful means
1565 Intimidation
1566 Assault
1567 Inducing breach of statutory duty
1570-9 CRIMINAL OFFENCES AND PICKETING
1571 Obstruction of the highway
1572 Breach of the peace
1573 Obstruction of the police
1574 Unlawful assembly
1575 Conspiracy
1575.1 To intimidate
1576 Affray
1580 REMEDIES
1581 Damages
1581.9 Interest
1582 Injunction
1583 Declaration
1590-9 COURT PROCEDURE
1596 Interlocutory relief
1598 Contempt

1600 HANDLING REDUNDANCIES

1601 DEFINITION OF REDUNDANCY
1610-9 TRADE UNION
1612 Recognition
1613 Authorised representative
1620-9 TIMING OF CONSULTATION
1621 Date of dismissal
1622 Date of individual notices
1623 Meaning of establishment
1624 Proposed redundancy
1625 Periods for dismissal
1626 Earliest opportunity
1630-9 INFORMATION
1631 In writing
1632 Timing
1640-9 CONSULTATION REQUIREMENTS
1650-9 SPECIAL CIRCUMSTANCES
1651 Effect on employees
1652 Insolvency
1653 Other financial circumstances
1660-79 PROTECTIVE AWARD
1661 Claim in time
1662 Just and equitable
1663 Seriousness of employer's default
1667 Offsetting payments
1671 Date of commencement of protected period
1674 Remuneration under award

2200 TRADE UNIONS AND INDIVIDUALS

2210-19 EXCLUSION FROM MEMBERSHIP
2250 EXPULSION FROM MEMBERSHIP
2260 BREACH OF UNION RULES
2270 REMEDIES
2271 Injunction
2272 Declaration
2273 Compensation
2274 Damages
2296 Interlocutory relief

2500 TRADE UNION ORGANISATION

2510 LIABILITY GENERALLY
2511 Authorisation of act
2512 Endorsement of act
2513 Repudiation of act
2520-9 Responsible persons
2521 Principal executive committee
2522 Other person empowered by rules
2523 President/general secretary
2524 Other employed official
2525 Union committee
2580 Amalgamations

3000 HEALTH & SAFETY AT WORK

3300 SAFETY REPRESENTATIVES
3400 STATUTORY OFFENCES
3410 FAILURE TO DISCHARGE GENERAL DUTY
3430 POLICY STATEMENT
3470 PERSONAL LIABILITY
3480 CORPORATE LIABILITY
3500 EMPLOYER'S LIABILITY
3590 DAMAGES – GENERAL
3591 Pain and suffering
3592 Loss of amenity
3593 Loss of earning capacity
3597 Deductions
3597.1 Redundancy payment
3597.2 Payments made under permanent health insurance scheme
3598 Contributory negligence
3599 Limitation
3600 OTHER PROTECTIVE LEGISLATION
3610 Children & Young Persons Act
3620 Occupiers' Liability Act
3630 Transport Act
3631 Drivers' hours
3900 OTHER
3960 Discovery

4100 EMPLOYMENT APPEAL TRIBUNAL

4160 Fresh evidence
4170 Notes of evidence
4192 Costs

4200 CERTIFICATION OFFICER

4300 TRIBUNALS

4310 COMPOSITION
4320 RULES OF PROCEDURE
4330 DISCOVERY
4340 FURTHER PARTICULARS
4350 WITNESS ORDERS
4392 Costs

4400 COURT OF APPEAL

4492 Costs

4600 ACAS

4700 CENTRAL ARBITRATION COMMITTEE

5000 PAY AND INCOMES POLICY

6000 INCOME TAX

7000 SOCIAL SECURITY

7300 UNEMPLOYMENT BENEFIT

8000 OCCUPATIONAL PENSION SCHEMES

9000 EMPLOYEE SHARE OPTION SCHEMES

10000 JUDICIAL REVIEW

Alphabetical Case Index

Key
Entries not in italic are Industrial Tribunal or Certification Officer decisions.
Italic entry without any notation is an Employment Appeal Tribunal decision.
Notations used are abbreviations as follows:

CA – Court of Appeal
CS – Court of Session
ECJ – European Court of Justice
ECHR – European Court of Human Rights
HC – High Court
HL – House of Lords
NICA – Northern Ireland Court of Appeal
NIHC – Northern Ireland High Court

A

Abbotts and Standley v Wesson-Glynwed Steels Ltd [1982] 51
Aberdeen Steak Houses Group plc v Ibrahim [1988] 420
Adams v Derby City Council [1986] 163
Adlington and others v British Bakeries (Northern) Ltd [1989] 218 – CA
Age Concern Scotland v Hines [1983] 477
Aldred v Nacanco [1987] 292 – CA
Alexander v Home Office [1988] 190 – CA
Alex Munro (Butchers) Ltd v Nicol [1988] 49
Ali v London Borough of Southwark [1988] 100 – HC
Allen v Avon Rubber Co Ltd [1987] 22 – CA
Allen v Hammet [1982] 89
Allied Dunbar (Frank Weisinger) Ltd v Weisinger [1988] 60 – HC
Anandarajah v Lord Chancellor's Department [1984] 131
Anderson and McAlonie v Dalkeith Engineering Ltd [1984] 429
Angus Jowett & Co (in liquidation) v NUTGW [1985] 326
Apex Leisure Hire v Barratt [1984] 224
Armagh District Council v Fair Employment Agency for Northern Ireland [1984] 234 – NICA
Arnold v Beecham Group Ltd [1982] 307
Arthur Guinness Son & Co (GB) Ltd v Green [1989] 288
Artisan Press v Srawley and Parker [1986] 126
Ashley v Ministry of Defence [1984] 57
Associated British Ports and others v TGWU [1989] 399 – HL, [1989] 305 – CA and [1989] 288 – HC
Association of University Teachers v University of Newcastle-upon-Tyne [1988] 10
ASTMS v Parkin [1983] 448
Atkin v Ward and Haines Watts [1983] 285
AUEW (TASS) v AUEW (Engineering Section) [1983] 108 – HC
Austin Rover Group Ltd v Amalgamated Union of Engineering Workers (TASS) [1985] 162 – HC
Avon County Council v 1. Foxall and others and 2. Webb and others [1989] 435
Avon County Council v Howlett [1983] 171 – CA
Aziz v Trinity Street Taxis Ltd [1988] 204 – CA and [1986] 435

B

Babar Indian Restaurant v Rawat [1985] 57
Babcock FATA Ltd v Addison [1987] 173 – CA and [1986] 388
Balgobin and Francis v London Borough of Tower Hamlets [1987] 401
Barber v Guardian Royal Exchange Assurance Group Ltd [1983] 240
Barclay v City of Glasgow District Council [1983] 313
Barclays Bank plc v Kapur and others [1989] 387 – CA and [1989] 57
Barratt Construction Ltd v Dalrymple [1984] 385
Barretts & Baird (Wholesale) Ltd and others v Institution of Professional Civil Servants and others [1987] 3 – HC
Batchelor v British Railways Board [1987] 136 – CA
Beal and others v Beecham Group Ltd [1982] 192 – CA
Beecham Group Ltd v Beal and others (No.2) [1983] 317
Benton v Sanderson Kayser Ltd [1989] 19 – CA and [1988] 235
Benveniste v University of Southampton [1989] 122 – CA
Berg and Busschers v Besselsen [1989] 447 – EC
Berriman v Delabole Slate Ltd [1985] 305 – CA and [1984] 394
Bilka-Kaufhaus GmbH v Weber von Hartz [1986] 317- ECJ
Birds Eye Walls Ltd v Harrison [1985] 47
BL Cars and another v Brown and others [1983] 193
BL Cars Ltd v Lewis [1983] 58
Bliss v South East Thames Regional Health Authority [1985] 308 – CA
Blyth v Scottish Liberal Club and others [1983] 245 – CS
Bolton Roadways Ltd v Edwards and others [1987] 392
Bond v CAV Ltd and Neads v CAV Ltd [1983] 360 – HC
Bonner v H Gilbert Ltd [1989] 474
Boots Company plc v Lees-Collier [1986] 485
Bourne v Colodense Ltd [1985] 339 – CA
Boxfoldia Ltd v National Graphical Association (1982) [1988] 383 – HC
Brandon and Goold v Murphy Bros [1983] 54
Brennan v JH Dewhurst Ltd [1983] 357
Bridgen v Lancashire County Council [1987] 58 – CA
Bristow v City Petroleum Ltd [1987] 340 – HL and [1985] 459 – HC
British Airports Authority v Ashton and others [1983] 287 – HC
British Airways Board v Clark and Havill [1982] 238
British Association of Advisers and Lecturers in Physical Education v National Union of Teachers [1986] 497 – CA
British Bakeries (Northern) Ltd v Adlington and others [1988] 177
British Broadcasting Corporation v Beckett [1983] 43
British Coal Corporation v Cheesbrough and Secretary of State for Employment [1988] 351 – CA and [1988] 84
British Coal Corporation v McGinty [1988] 7
British Library v Palyza and Mukherjee [1984] 306
British Newspaper Printing Corporation (North) Ltd v Kelly and others [1989] 222 – CA
British Railways Board v NUR [1989] 349 – CA and [1989] 345 – HC
British Railways Board v Paul [1988] 20
Bromley and others v H&J Quick Ltd [1988] 249 – CA and [1987] 456
Brook Lane Finance Co Ltd v Bradley [1988] 283
Brooks W & Son v Skinner [1984] 379
Brown v Stockton-on-Tees Borough Council [1988] 263 – HL, [1987] 230 – CA and [1986] 432
Brown and others v Knowsley Borough Council [1986] 102
BSC Sports & Social Club v Morgan [1987] 391
Buchanan v Tilcon Ltd [1983] 417 – CS
Burdett-Coutts and others v Hertfordshire County Council [1984] 91 – HC
Burnley Nelson Rossendale and District Textile Workers' Union v Amalgamated Textile Workers' Union [1986] 298
Burns International Security Services Ltd v Butt [1983] 438
Burton v British Railways Board [1982] 116 – ECJ
Byrne v City of Birmingham District Council [1987] 191 – CA

C

Cadoux v Central Regional Council [1986] 131 – CS
Calder v James Finlay Corporation Ltd [1989] 55
Caledonian Mining Co Ltd v Bassett and Steel [1987] 165
Calveley and others v Merseyside Police [1986] 177 – CA
Canning v Niaz and McLoughlin [1983] 431
Carmichael (Procurator Fiscal) v Rosehall Engineering Works Ltd [1983] 482 – Sheriff Court and [1983] 480 – HC
Cartlidge v Chief Adjudication Officer [1986] 182 – CA
Cartwright v G Clancey Ltd [1983] 355
Cawley v South Wales Electricity Board [1985] 89
Chapman and Elkin v CPS Computer Group plc [1987] 462 – CA
Cheall v Association of Professional, Executive, Clerical and Computer Staff [1983] 215 – HL, [1982] 362 – CA and [1982] 91 – HC
Cheatle v Commissioners of Inland Revenue [1982] 240 – HC
Chiu v British Aerospace plc and others [1982] 56
Chubb Fire Security Ltd v Harper [1983] 311
Churchill v Yeates & Son t/a Yeates Catering Equipment [1983] 187
City of Bradford Metropolitan Council v Arora [1989] 442
City and Hackney Health Authority v National Union of Public Employees and others [1985] 252 – CA
Clarke and others v Chadburn and others [1984] 350 – HC
Clarke v Eley (IMI) Kynoch Ltd and Eley (IMI) Kynoch Ltd v Powell [1982] 482 – EAT and [1982] 131 – IT
Cleveland County Council v Springett and others [1985] 131
Clymo v Wandsworth London Borough Council [1989] 241
Coales v John Wood & Co (Solicitors) [1986] 129
Coates and Venables v Modern Methods and Materials Ltd [1982] 318 – CA
Cobb v Secretary of State for Employment and MSC [1989] 464
Colin Johnson t/a Richard Andrew Ladies Hairstylists v Baxter [1985] 95
Colledge v Bass Mitchells & Butlers Ltd [1988] 163 – CA
Commission of European Communities v United Kingdom of Great Britain and Northern Ireland [1982] 333 – ECJ
Commission of the European Communities v United Kingdom of Great Britain and Northern Ireland [1984] 29 – ECJ
Commission for Racial Equality v Amari Plastics Ltd [1982] 252 – CA
Commission for Racial Equality v Dutton [1989] 8 – CA
Commission for Racial Equality v Imperial Society of Teachers of Dancing [1983] 315
Community Task Force v Rimmer [1986] 203
Conoco (UK) Ltd v Neal [1989] 51
Cooner v PS Doal & Sons [1988] 338
Cornelius v University College of Swansea [1987] 141 – CA
Courage Take Home Trade Ltd v Keys; Keys v Courage Take Home Trade Ltd [1986] 427
Courtaulds Northern Spinning Ltd v Moosa [1984] 43
Courtaulds Northern Spinning Ltd v Sibson and TGWU [1988] 305 – CA
Cowan and others v Charlesworth and others [1987] 278 – HC
Cowan and others v Scargill and others [1984] 260 – HC
Cowell v Quilter Goodison & Co Ltd and another [1989] 392 – CA
Cowen v Haden Carrier Ltd [1982] 225
Cox v ELG Metals Ltd [1984] 3
CPS Recruitment Ltd t/a Blackwood Associates v Bowen and Secretary of State for Employment [1982] 54
Cresswell and others v Board of Inland Revenue [1984] 190 – HC
Crewe v Social Security Commissioner [1982] 295 – CA
Cross International v Reid and others [1985] 387 – CA
Crossville Motor Services Ltd v Ashfield [1986] 475
Crouch v British Rail Engineering Ltd [1988] 404 – CA

D

Dabell v Vale Industrial Services (Nottingham) Ltd and others [1988] 439 – CA
Daley v Allied Suppliers Ltd [1983] 14
Dalgleish v Kew House Farm Ltd [1982] 251 – CA
Davidson v John Calder (Publishers) Ltd and Calder Educational Trust Ltd [1985] 97
Davies v McCartneys [1989] 439
Davies v Presbyterian Church of Wales [1986] 194 – HL
Dean v Islamic Foundation [1982] 290 – CA
Deary (HM Inspector of Factories) v Mansion Hide Upholstery Ltd [1983] 195 – HC
Dennehy v Sealink UK Ltd [1987] 120
Department of Health and Social Security v Coy [1983] 474
Deria and others v General Council of British Shipping (t/a Merchant Navy Establishment Administration) [1986] 108 – CA
Derrybaa Ltd t/a Le Mange Tout v Castro-Blanco [1986] 495
De Souza v Automobile Association [1986] 103 – CA and [1985] 87
Dews v National Coal Board [1987] 330 – HL
Dietman v London Borough of Brent [1988] 299 – CA, [1987] 259 – HC and [1987] 146 – CA
Dimbleby & Sons Ltd v National Union of Journalists [1984] 161 – HL and [1984] 67 – CA
Din v Carrington Viyella Ltd (Jersey Capwood Ltd) [1982] 281
Distillers Co (Bottling Services) Ltd v Gardner [1982] 47
Dobie v Burns International Security Services (UK) Ltd [1984] 329 – CA and [1983] 278
Dodd v British Telecom plc [1988] 16
Donelan v Kerrby Constructions Ltd and Secretary of State for Employment [1983] 191
Dowuona v John Lewis plc [1987] 310 – CA
Duke v GEC Reliance (formerly Reliance Systems) [1988] 118 – HL, [1987] 139 – CA and [1982] 347
Duke v Prospect Training Services Ltd [1989] 196
Dunn v Pochin (Contractors) Ltd [1982] 449
Dutton & Clark Ltd v Daly [1985] 363

E

Eaton v Robert Eaton Ltd and Secretary of State for Employment [1988] 83
Electronic Data Processing Ltd v Wright [1986] 8
Elliot v Richard Stump Ltd [1987] 215
Elliott v SOGAT [1983] 3
Elsey v Smith (Procurator Fiscal) [1983] 292 – HC
Equal Opportunities Commission for Northern Ireland's Application, Re [1989] 64 – NIHC
Etam plc v Rowan [1989] 150
Evans v Elemeta Holdings Ltd [1982] 143
Evening Standard Co Ltd v Henderson [1987] 64 – CA
Express Newspapers plc and others v Mitchell and others [1982] 465 – HC
Express & Star Ltd v Bunday and others [1987] 422 – CA and [1986] 477
Express & Star Ltd and others v NGA (1982) and another [1986] 222 – CA and [1985] 455 – HC

F

Faccenda Chicken Ltd v Fowler and others [1986] 69 – CA and [1984] 61 – HC
Falconer v ASLEF and NUR [1986] 331
Faust and others v Power Packing Casemakers Ltd [1983] 117 – CA
Fenton v Stablegold Ltd (t/a Chiswick Court Hotel) [1986] 64
Ferguson v Welsh and others [1988] 112 – HL
Finnie v Top Hat Frozen Foods [1985] 365
Flack and others v Kodak Ltd [1986] 255 – CA and [1985] 443
Ford v Warwickshire County Council [1983] 126 – HL and [1982] 246 – CA
Ford v Stakis Hotels & Inns Ltd [1988] 46
Ford Motor Co Ltd v Nawaz [1987] 163
Foreningen af Arbejdsledere i Danmark v Daddy's Dance Hall A/S [1988] 315 – ECJ
Forth Estuary Engineering Ltd v Litster and others [1988] 289 – CS and [1986] 59
Foster and others v British Gas plc [1988] 354 – CA
Foster v South Glamorgan Health Authority [1988] 277
Francis and others v British Airways Engineering Overhaul Ltd [1982] 10
Freemans plc v Flynn [1984] 486
Freud v Bentalls Ltd [1982] 443
Fyfe v Scientific Furnishings Ltd [1989] 331

G

Gair v Bevan Harris Ltd [1983] 368 – CS
Galt (Procurator Fiscal) v Philp and others [1984] 156 – HC
Gardiner-Hill v Roland Berger Technics Ltd [1982] 498
Garland v British Rail Engineering Ltd [1982] 111 – ECJ and [1982] 257 – HL
Gateway Hotels Ltd v Stewart and others [1988] 287
General Engineering Services Ltd v Kingston and St Andrew Corporation [1989] 35 – PC
General Medical Council v Goba [1988] 425
General of the Salvation Army v Dewsbury [1984] 222
Gibbons v Associated British Ports [1985] 376 – HC
Gibson and others v British Transport Docks Board [1982] 228
Gilbert v Kembridge Fibres Ltd [1984] 52
Gilham and others v Kent County Council [1986] 56, [1985] 16 – CA, [1985] 18 – CA and [1983] 353
Gill and others v Cape Contracts Ltd [1985] 499 – NIHC
Gill and Coote v El Vinos Company Ltd [1983] 206 – CA
Gloucestershire County Council v Spencer and others [1985] 59
Goodfellow and others v NATSOPA [1985] 3
Gorictree Ltd v Jenkinson [1984] 391
Goring v British Actors Equity Association [1987] 122 – HC
Gothard v Mirror Group Newspapers Ltd [1988] 396 – CA
Graham v ABF Ltd [1986] 90
Gray v Shetland Norse Preserving Co Ltd [1985] 53
Greater Glasgow Health Board v Carey [1987] 484
Green v A&I Fraser (Wholesale Fish Merchants) Ltd [1985] 55
Green E & Son (Castings) Ltd v AUEW and AUEW [1984] 135. ASTMS and AUEW [1984] 135
Greenall Whitley plc v Carr [1985] 289
Greenwich Health Authority v Skinner and another [1989] 238
Gregory v Tudsbury Ltd [1982] 267
Grimsby Carpet Co Ltd v Bedford [1987] 438
Grootcon (UK) Ltd v Keld [1984] 302
Grundy (Teddington) Ltd v Plummer and Salt [1983] 98

H

Hadden v University of Dundee Students' Association [1985] 449
Haden Ltd v Cowen [1982] 314 – CA
Hadmor Productions Ltd and others v Hamilton and another [1982] 102 – HL
Hair Colour Consultants Ltd v Mena [1984] 386
Hamlet v General, Municipal, Boilermakers and Allied Trades Union [1986] 293
Hammersmith & Queen Charlotte's Special Health Authority v Cato [1987] 483
Hampson v Department of Education and Science [1989] 69 – CA and [1988] 87
Handels-OG Kontorfunktionaerernes Forbund i Danmark v Dansk Arbejdsgiverforening [1989] 532 – EC
Hannan v TNT-IPEC (UK) Ltd [1986] 165
Harford v Swiftrim Ltd [1987] 360
Harris and Shepherd v Courage (Eastern) Ltd [1982] 509 – CA
Hasley v Fair Employment Agency [1989] 106 – NICA
Haughton v Olau Line (UK) Ltd [1986] 465 – CA
Hawley v Fieldcastle & Co Ltd [1982] 223
Hayes v Malleable Working Men's Club and Institute [1985] 367
Hayward v Cammell Laird Shipbuilders Ltd [1988] 257 – HL, [1987] 186 – CA, [1986] 287 – EAT and [1984] 463 – IT
Heasmans v Clarity Cleaning Co Ltd [1987] 286 – CA
Hempell v W H Smith & Sons Ltd [1986] 95
Henderson v Granville Tours Ltd [1982] 494
Hennessy v Craigmyle & Co Ltd and ACAS [1986] 300 – CA and [1985] 446
Henry v Ellerman City Liners Ltd [1984] 408 – CA
Hereford and Worcester County Council v Neale [1986] 168 – CA and [1985] 281
Highlands and Islands Development Board v MacGillivray [1986] 210 – CS
Highlands Fabricators Ltd v McLaughlin [1984] 482
Hindle Gears Ltd v McGinty and others [1984] 477
Hinton & Higgs (UK) Ltd v Murphy and another [1989] 519 – CS
HM Inspector of Factories v Austin Rover Group Ltd [1989] 404 – HL
Holden v Bradville Ltd [1985] 483
Hollier v Plysu Ltd [1983] 260 – CA
Holroyd v Gravure Cylinders Ltd [1984] 259
Home Delivery Services Ltd v Shackcloth [1984] 470
Home Office v Holmes [1984] 299
Honeyford v City of Bradford Metropolitan Council and another [1986] 32 – CA
Hooper v British Railways Board [1988] 517 – CA
Hopkins v National Union of Seamen [1985] 157 – HC
Horcal Ltd v Gatland [1984] 288 – CA and [1983] 459 – HC
Horizon Holidays Ltd v Grassi [1987] 371
Horsey v Dyfed County Council [1982] 395
Hotson v Wisbech Conservative Club [1984] 422
Howard v National Graphical Association [1984] 489 and [1984] 250 – CA
Howarth Timber (Leeds) Ltd v Biscomb [1986] 52
Howman and Sons v Blyth [1983] 139
Hughes v Department of Health and Social Security [1985] 263 – HL and [1984] 360 – CA
Hughes v Transport and General Workers' Union [1985] 382
Hughes and others v London Borough of Southwark [1988] 55 – HC
Hussain v New Taplow Paper Mills Ltd [1988] 167 – HL
Hyland v JH Barker (North-West) Ltd [1985] 403

I

Iceland Frozen Foods Ltd v Jones [1982] 439
Igbo v Johnson Matthey Chemicals Ltd [1986] 215 – CA and [1985] 189
Iggesund Converters Ltd v Lewis [1984] 431
ILEA v Gravett [1988] 497
Ingram v Foxon [1985] 5
In re a company's application [1989] – HC 477
Institution of Professional Civil Servants and others v Secretary of State for Defence [1987] 373 – HC
Irani v Southampton and South-West Hampshire Health Authority [1985] 203 – HC
Ironmonger v Movefield Ltd [1988] 461
Irving and Irving v Post Office [1987] 289 – CA
Isleworth Studios Ltd v Rickard [1988] 137 – CA
Iwanuszezak v GMBATU [1988] 219 – CA

J

Jackson v Foster Wheeler (London) Ltd [1989] 283
James v Eastleigh Borough Council [1989] 381 – CA
Jeetle v Elster [1985] 227
Johnson & Bloy (Holdings) Ltd v Wolstenholme Rink plc and Fallon [1987] 499 – CA
Johnson v Firth (HM Inspector of Taxes) [1982] 25 – CA
Johnston v Chief Constable of the Royal Ulster Constabulary [1986] 263 – ECJ
Joyce v Diocese of St Albans Community Project [1985] 124 – CA

K

Kearney & Trecker Marwin Ltd v Varndell and others [1983] 335 – CA
Keir and Williams v Hereford and Worcester County Council [1985] 505 – CA
Kelly v Liverpool Maritime Terminals Ltd [1988] 310 – CA
Kelly v Shulman [1988] 478 – HC
Kelman v GJ Oram [1983] 432
Kenneth MacRae & Co Ltd v Dawson [1984] 5
Kent Free Press v NGA [1987] 267 – HC
Keywest Club Ltd v Choudhury and others [1988] 51
Kidd v DRG (UK) Ltd [1985] 190
Kingston v British Railways Board [1984] 146 – CA and [1982] 274
Kinzley v Minories Finance Ltd [1987] 490 – EAT
Kolfor Plant Ltd v Wright [1982] 311

L

Ladbroke Racing Ltd v Arnott and others [1983] 154 – CS
Ladup Ltd v Barnes [1982] 7
Lafferty Construction Ltd v Duthie [1985] 487
Lamont v Fry's Metals Ltd [1985] 470 – CA and [1983] 434
Landsorganisationen i Danmark v Ny Molle Kro [1989] 37 – EC
Lanton Leisure Ltd v White and Gibson [1987] 119
Laughton and Hawley v Bapp Industrial Supplies Ltd [1986] 245
Lavery v Plessey Telecommunications Ltd [1983] 202 – CA and [1982] 180
Lawrence David Ltd v Ashton [1989] 22 – CA
Laws v Keane [1982] 500 – HC
Lawson and others v Britfish Ltd [1988] 53
Lawton v BOC Transhield [1987] 404 – HC
Leech v Preston Borough Council [1985] 337
Les Ambassadeurs Club v Bainda [1982] 5
Leverton v Clwyd County Council [1989] 28 – HL, [1988] 239 – CA and [1985] 197
Lewis v John Adamson & Co Ltd [1982] 233
Lewis v Motorworld Garages Ltd [1985] 465 – CA
Lewis v Surrey County Council [1987] 509 – HL and [1986] 455 – CA and [1986] 11
Lilley Construction Ltd v Dunn [1984] 483
Linfood Cash & Carry Ltd v Thomson and another [1989] 235
Litster and others v Forth Dry Dock & Engineering Co Ltd and another [1989] 161 – HL
Lloyds Bank plc v Fox and others [1989] 103
Lock International plc v Beswick and others [1989] 481 – HC
Logan Salton v Durham County Council [1989] 99
London Borough of Barking & Dagenham v Camara

[1988] 373
London Borough of Hillingdon v Commission for Racial Equality [1982] 424 – HL
London Borough of Lambeth v Commission for Racial Equality [1989] 379
London Borough of Newham v Ward [1985] 509 – CA
London Underground Ltd v NUR [1989] 341 and 343 – HC
Longley v National Union of Journalists and others [1987] 109 – CA
Loosley v NUT [1988] 157 – CA
Lotus Cars Ltd v Sutcliffe and another [1982] 381 – CA
Lucas v Norton of London Ltd [1984] 86
Lucas and others v Laurence Scott Electromotors Ltd [1983] 61
Lynock v Cereal Packaging Ltd [1988] 510

M

McAndrew v Prestwick Circuits Ltd [1988] 514
McCarthy v British Insulated Callenders Cables plc [1985] 94
McCrea v Cullen & Davison Ltd [1988] 30 – NICA
McCrory v Magee t/a Heatwell Heating Systems [1983] 414 – NICA
McDermid v Nash Dredging and Reclamation Co Ltd [1987] 334 – HL and [1986] 308 – CA
McGhee v Midland British Road Services Ltd; McGhee v Transport & General Workers' Union [1985] 198
McGoldrick v London Borough of Brent [1987] 67 – CA
McGovern v British Steel Corporation [1986] 411 – CA
McGrath v Rank Leisure Ltd [1985] 323
McKenzie v Crosville Motor Services Ltd [1989] 516
McKindley v William Hill (Scotland) Ltd [1985] 492
McKnight v Adlestones (Jewellers) Ltd [1984] 453 – NICA
McLaren v National Coal Board [1988] 215 – CA
McLeod and others v Hellyer Brothers Ltd and Wilson and another v Boston Deep Sea Fisheries Ltd [1987] 232 – CA
McNeil v Messrs Charles Crimin (Electrical Contractors) Ltd [1984] 179
MacPherson v London Borough of Lambeth [1988] 470 – HC
Machine Tool Industry Research Association v Simpson [1988] 212 – CA
Mackie v John Holt Vintners Ltd [1982] 236
Maintenance Co Ltd v Dormer [1982] 491
Mandla and another v Lee and others [1983] 209 – HL and [1983] 17 – CA
Manpower Ltd v Hearne [1983] 281
Marina Shipping Ltd v Laughton and Shaw [1982] 20 – CA
Marley v Forward Trust Group Ltd [1986] 369 – CA and [1986] 43
Marley Tile Co Ltd v Johnson [1982] 75
Marshall v Southampton and South-West Hampshire Area Health Authority (Teaching) [1986] 140 – ECJ, [1983] 237 and (No.2) [1988] 325
Martin v British Railways Board [1989] 198
Martin v MBS Fastenings (Glynwed) Distribution Ltd [1983] 198 – CA
Martin v Yeomen Aggregates Ltd [1983] 49
Mason v Wimpey Waste Management Ltd and Secretary of State for Employment [1982] 454
Mathewson v RB Wilson Dental Laboratory Ltd [1988] 512
Maughan v NE London Magistrates' Court Committee [1985] 367
Maund v Penwith District Council [1984] 24 – CA and [1982] 399
MBS Ltd v Calo [1983] 189
MDH Ltd v Sussex [1986] 123
Mears v Safecar Security Ltd [1982] 183 – CA
Medallion Holidays Ltd v Birch [1985] 406
Meek v City of Birmingham District Council [1987] 250 – CA
Meer v London Borough of Tower Hamlets [1988] 399
Meikle v McPhail (Charleston Arms) [1983] 351
Mercury Communications Ltd v Scott-Garner and Post Office Engineering Union [1983] 494 – CA and [1983] 485 – HC
Merkur Island Shipping Corporation v Laughton and others [1983] 218 – HL and [1983] 26 – CA
Mersey Dock & Harbour Co v Verrinder and others [1982] 152 – HC
Messenger Newspapers Group Ltd v National Graphical Association (1982) [1984] 397 – HC
Metropolitan Borough of Solihull v National Union of Teachers [1985] 211 – HC
Midland Plastics v Till and others [1983] 9
Mihlenstedt v Barclays Bank International Ltd and another [1989] 522 – CA
Miles v Wakefield Metropolitan District Council [1987] 193 – HL and [1985] 108 – CA
Milestone School of English Ltd v Leakey [1982] 3
Miller v Hamworthy Engineering Ltd [1986] 461 – CA
Mining Supplies (Longwall) Ltd v Baker [1988] 417
Ministry of Defence v Crook and Irving [1982] 488 and [1982] 43
Ministry of Defence v Fair Employment Agency for Northern Ireland [1988] 151
Mirror Group Newspapers Ltd v Gunning [1986] 27 – CA and [1985] 60
Mono Pumps Ltd v Froggatt and Radford [1987] 368
Monsanto plc v Transport & General Workers' Union [1986] 406 – CA
Monterosso Shipping Co Ltd v International Transport Workers' Federation [1982] 468 – CA
Moore v Duport Furniture Products Ltd and others [1982] 31 – HL
Morganite Electrical Carbon Ltd v Donne [1987] 363
Morley's of Brixton Ltd v Minott [1982] 270
Morris v London Iron and Steel Co Ltd [1987] 182 – CA
Morris v Secretary of State for Employment [1985] 297
Morrison v Amalgamated Transport & General Workers' Union [1989] 361 – NICA
Morton v Chief Adjudication Officer [1988] 444 – CA
Moss and others v McLachlan [1985] 76 – HC
Moyes v Hylton Castle Working Men's Social Club and Institute [1986] 482
Muffett SH Ltd v Head [1986] 488
Munir and another v Jang Publications Ltd [1989] 224 – CA
Murco Petroleum Ltd v Forge [1987] 50
Murphy v Epsom College [1984] 271 – CA and [1983] 395
Murphy and others v Bord Telecom Eireann [1988] 267 – ECJ
Murray MacKinnon v Forno [1983] 7

N

National Coal Board v Cheesbrough and Secretary of State for Employment [1988] 84 [1988] 351 – CA
National Coal Board v National Union of Mineworkers and others [1986] 439 – HC
National Graphical Association v Howard [1983] 440, [1983] 442 and [1983] 445
National Society of Operative Printers, Graphical and Media Personnel v Kirkham [1983] 70
Nairne v Highland & Islands Fire Brigade [1989] 366 – CS
Naylor and others v Orton & Smith Ltd and MD Tweddell Engineering Ltd [1983] 233
Neale and others v Ford Motor Co Ltd [1984] 339
Nethermere (St Neots) Ltd v Taverna and Gardiner [1984] 240 – CA and [1983] 103
News Group Newspapers Ltd and others v SOGAT '82 and others [1986] 337 – HC and [1986] 227 – CA
Newstead v Department of Transport and HM Treasury [1988] 66 – ECJ and [1985] 299
New York City Employees' Retirement System v American Brands Inc [1986] 239 – US District Court
Norbrook Laboratories Ltd v King [1984] 200 – NICA and [1982] 456 – NIHC
Noone v North West Thames Regional Health Authority [1988] 195 – CA, [1987] 357 and No.2 [1988] 530 – CA
Norris v Southampton City Council [1982] 141
North Yorkshire County Council v Fay [1985] 247 – CA
Norwest Holst Group Administration Ltd v Harrison [1985] 240 – CA and [1984] 419
Notcutt v Universal Equipment Co (London) Ltd [1986] 218 – CA
Nova Plastics Ltd v Froggatt [1982] 146
NUPE and COHSE's Application, Re [1989] 202 – NIHC
Nurse v Morganite Crucible Ltd [1989] 88 – HL

O

Oakley v Labour Party [1988] 34 – CA and [1987] 79
Octavius Atkinson & Sons Ltd v Morris [1989] 158 – CA
O'Keefe v Southampton City Council [1988] 424
O'Kelly and others v Trusthouse Forte plc [1983] 369 – CA
Oliver v JP Malnick & Co [1983] 456
Orphanos v Queen Mary College [1985] 349 – HL
Osborne v Bill Taylor of Huyton Ltd [1982] 17 – HC
Ojutiku and Oburoni v Manpower Services Commission [1982] 418 – CA
Owen & Briggs v James [1982] 502 – CA

P

Palmer and Saunders v Southend-on-Sea Borough Council [1984] 119 – CA
Paul v National and Local Government Officers' Association [1987] 43 – CO
Paul and Fraser v NALGO [1987] 413 – HC
Payne v Secretary of State for Employment [1989] 352 – CA
Payne v Spook Erection Ltd [1984] 219
P Bork International A/S v Foreningen af Arbejdsledere i Danmark [1989] 41 – EC
Pearse v City of Bradford Metropolitan Council [1988] 379 – HC
Pename Ltd v Paterson [1989] 195
Perera v Civil Service Commission and Department of Customs and Excise [1983] 166 – CA and [1982] 147
Peter Simper & Co Ltd v Cooke [1986] 19
Pickstone and others v Freemans plc [1988] 357 – HL, [1987] 218 – CA and [1986] 335
Pink v White and White & Co (Earls Barton) Ltd [1985] 489
Pinkney v Sandpiper Drilling Ltd and others [1989] 425
Plessey Co plc v Wilson and others [1982] 198 – CS
P&O European Ferries (Dover) Ltd v Byrne [1989] 254 – CA
Polkey v AE Dayton Services Ltd (formerly Edmund Walker (Holdings) Ltd) [1987] 503 – HL and [1987] 13 – CA
Poparm Ltd v Weekes [1984] 388
Post Office Counters Ltd v Heavey [1989] 513
Powell v London Borough of Brent [1987] 466 – CA
Premier Motors (Medway) Ltd v Total Oil Great Britain Ltd and others [1983] 471
Presho v Department of Health and Social Security (Insurance Officer) [1984] 74 – HL and [1983] 295 – CA
President of the Methodist Conference v Parfitt [1984] 141 – CA
Prestige Group plc, In re [1984] 166 – HL and [1983] 408 – HC
Pritchett and Dyjasek v J McIntyre Ltd [1987] 18 – CA and [1986] 97
Property Guards Ltd v Taylor and another [1982] 175
Provident Financial Group plc and another v Hayward [1989] 84 – CA

Q

Quinnen v Hovells [1984] 227

R

R v AI Industrial Products plc [1987] 296 – CA
R v Birmingham City Council ex parte Equal Opportunities Commission [1989] 173 – HL, [1988] 430 – CA and [1988] 96 – HC
R v British Broadcasting Corporation ex parte Lavelle [1982] 404 – HC
R v Central Arbitration Committee ex parte BTP Tioxide Ltd [1982] 60
R v Central Arbitration Committee ex parte Banking Insurance and Finance Union [1982] 505 – CA and [1982] 12 – HC
R v Certification Officer ex parte Amalgamated Union of Engineering Workers (Engineering Section) and others [1983] 113 – CA and [1982] 67
R v Certification Officer ex parte Electrical Power Engineers' Association [1989] 338 – HC
R v Chief Constable of South Wales ex parte Thornhill [1987] 313 – CA
R v Commission for Racial Equality ex parte Westminster City Council [1985] 426 – CA and [1984] 230 – HC
R v East Berkshire Health Authority ex parte Walsh [1984] 278 – CA
R v Hertfordshire County Council ex parte National Union of Public Employees and others and R v East Sussex County Council ex parte National Union of Public Employees and others [1985] 258 – CA
R v Liverpool City Corporation ex parte Ferguson and Ferguson [1985] 501 – HC
R v London Borough of Ealing and others ex parte Times Newspapers Ltd and others [1987] 129 – HC
R v London Borough of Islington ex parte Building Employers' Confederation [1989] 382 – HC
R v Mansfield Justices ex parte Sharkey and others [1984] 496 – HC
R v Mara [1987] 154 – CA
R v Secretary of State for Education ex parte Schaffter [1987] 53 – HC
R v Secretary of State for Foreign and Commonwealth Affairs ex parte Council of Civil Service Unions and another [1985] 28 – HL, [1984] 353 – CA and [1984] 309 – HC
R v Secretary of State for the Home Department ex parte Benwell [1985] 6 – HC
R v Secretary of State for Social Services and others ex parte Clarke and others [1988] 22 – HC
Rainey v Greater Glasgow Health Board Eastern District [1987] 26 – HL and [1985] 414 – CS and [1984] 88
Rank Xerox Ltd v Churchill and others [1988] 280
Rath v Cruden Construction Ltd [1982] 9

Raval v Department of Health and Social Security and Civil Service Commission [1985] 370
Rayware Ltd and another v TGWU and another [1989] 134 – CA
Read v Phoenix Preservation Ltd [1985] 93
Richard Read (Transport) Ltd v National Union of Mineworkers (South Wales Area) and George M Read Ltd v National Union of Mineworkers (South Wales Area) [1985] 67 – HC
Reed Packaging Ltd v Boozer and another [1988] 333
Reid v Rush and Tompkins Group plc [1989] 265 – CA
Reiss Engineering Co Ltd v Harris [1985] 232 – HC
Rentokil Ltd v Mackin and another [1989] 286
Rex Stewart Jeffries Parker Ginsberg Ltd v Parker and another [1988] 483 – CA
Richmond Precision Engineering Ltd v Pearce [1985] 179
Ridgway and Fairbrother v National Coal Board [1987] 80 – CA and [1986] 379
Rigby v Ferodo Ltd [1987] 516 – HL and [1987] 61 – CA
Riley (formerly Rees) v Joseph Frisby Ltd [1982] 479
Rinner-Kühn v FWW Spezial-Gebäudereinigung GmbH & Co KG [1989] – EC 493
Roadchef Ltd v Hastings [1988] 142
Roberts v Tate & Lyle Industries Ltd [1986] 150 – ECJ and [1983] 240
Robertson and Jackson v British Gas Corporation [1983] 302 – CA
Robinson v Carrickfergus Borough Council [1983] 122 – NICA
Roger Bullivant Ltd and others v Ellis and others [1987] 491 – CA
Rogers and others v Vosper Thornycroft (UK) Ltd [1989] 82 – CA and [1988] 229
Rolls-Royce Motors Ltd v Dewhurst and others [1985] 184
Rolls-Royce plc v Doughty [1987] 447
Rowe v Radio Rentals Ltd [1982] 177
Royal Ordnance plc v Pilkington [1989] 489 – CA and [1988] 466
Royal Society for the Prevention of Cruelty to Animals v Cruden [1986] 83
Royal Society for the Protection of Birds v Croucher [1984] 425
Royle v Trafford Borough Council [1984] 184 – HC
Rummler v Dato-Druck GmbH [1987] 32 – ECJ

S

Sadler v Imperial Life Assurance Co of Canada Ltd [1988] 388 – HC
Saeed v Greater London Council (ILEA) [1986] 23 – HC
Sakals v United Counties Omnibus Co Ltd [1984] 474
Saunders v Bakers Food & Allied Workers' Union [1986] 16
Savoia v Chiltern Herb Farms Ltd [1982] 166 – CA
Scott and others v Coalite Fuels and Chemicals Ltd [1988] 131
Scottish & Newcastle Breweries plc v Halliday [1986] 291
Secretary of State for Employment v Anchor Hotel (Kippford) Ltd [1985] 452
Secretary of State for Employment v Cheltenham Computer Bureau [1985] 333
Secretary of State for Employment v Cohen and Beaupress Ltd [1987] 169
Secretary of State for Employment v Cox [1984] 437
Secretary of State for Employment v Crane [1988] 238
Secretary of State for Employment v Deary and others and Cambridgeshire County Council [1984] 180
Secretary of State for Employment v John Woodrow & Sons (Builders) Ltd [1983] 11
Secretary of State for Employment v Levy [1989] 469
Secretary of State for Employment v Spence and others [1986] 248 – CA
Secretary of State for Employment v Staffordshire County Council and Secretary of State for Employment v Cameron Iron Works [1989] 117 – CA
Secretary of State for Scotland v Meikle [1986] 208
Secretary of State for Trade v Douglas [1983] 63
Securicor Ltd v Smith [1989] 356 – CA
Select Managements Ltd v Westminster City Council [1985] 344 – CA
Seymour v British Airways Board [1983] 55
Shepherd FC & Co Ltd v Jerrom [1986] 358 – CA and [1985] 275
Shipping Company Uniform Inc v International Transport Workers' Federation and others [1985] 71 – HC
Shook v London Borough of Ealing [1986] 46
Shove v Downs Surgical plc [1984] 17 – HC
Showboat Entertainment Centre Ltd v Owens [1984] 7
Siggs & Chapman (Contractors) Ltd v Knight [1984] 83
Sillars v Charringtons Fuels Ltd [1989] 152 – CA and [1988] 180
Sillifant v Powell Duffryn Timber Ltd [1983] 91
Sim v Rotherham Metropolitan Borough Council, Townend v Doncaster Metropolitan Borough Council, Barnfield v Metropolitan Borough Council of Solihull, Rathbone v London Borough of Croydon [1986] 391 – HC
Simon v Brimham Associates [1987] 307 – CA
Simpson A & Son (Motors) v Reid and Findlater [1983] 401
Siraj-Eldin v Campbell Middleton Burness & Dickson [1989] 208 – CS
Sisley v Britannia Security Systems Ltd [1983] 404
SI (Systems & Instruments) Ltd v Grist and Riley [1983] 391
Slack v Greenham (Plant Hire) Ltd [1983] 271
Slater v Leicestershire Health Authority [1989] 16 – CA
Smith v City of Glasgow District Council [1987] 326 – HL and [1985] 79 – CS
Smith v Scot Bowyers Ltd [1986] 315 – CA
Smith v Stages and Darlington Insulation Co Ltd [1989] 177 – HL and [1988] 107 – CA
Smiths Industries Aerospaces & Defence Systems Ltd v Brookes [1986] 434
Snaith, In re [1982] 157 – NIHC
Snowball v Gardner Merchant Ltd [1987] 397
Society of Licensed Victuallers v Chamberlain [1989] 421
Southampton & South-West Hampshire Area Health Authority v Marshall (No.2) [1989] 459
South West Launderettes Ltd v Laidler [1986] 305 – CA and [1986] 68
Sovereign Distribution Services Ltd v TGWU [1989] 334
Sovereign House Security Services Ltd v Savage [1989] 115 – CA
Spencer and Griffin v Gloucestershire County Council [1985] 393 – CA
Spencer v Marchington [1988] 392 – HC
Spook Erection Ltd v Thackray [1984] 116 – CS
Stacey v Babcock Power Ltd [1986] 3
Staffordshire County Council v Secretary of State for Employment [1988] 3
Stapp v Shaftesbury Society [1982] 326 – CA
Stein v Associated Dairies Ltd [1982] 447
Stern J&J v Simpson [1983] 52
Stevens and others v Bexley Health Authority [1989] 240
Strathclyde Regional Council v Neil [1984] 14 and [1984] 11 – Sheriff Court
Strathclyde Regional Council v Porcelli [1986] 134 – CS and [1984] 467
Strudwick v IBL [1988] 457
Stubbes v Trower, Still & Keeling [1987] 321 – CA
Suffolk County Council v Secretary of State for the Environment and Alcock [1985] 24 – HL
Suflex Ltd v Thomas and others [1987] 435
Sun Printers Ltd v Westminster Press Ltd and another [1982] 292 – CA
Swaine v Health and Safety Executive [1986] 205
Swainston v Hetton Victory Club Ltd [1983] 164 – CA
Sybron Corporation and another v Rochem Ltd and others [1983] 253 – CA

T

Tadd v Eastwood and Daily Telegraph Ltd [1985] 119 – CA and [1983] 320 – HC
Taylor v Co-operative Retail Services Ltd [1982] 354 – CA
Taylor and others v National Union of Mineworkers (Derbyshire Area) and others [1985] 99 – HC, [1985] 65 – HC and [1984] 440 – HC
Taylor and Foulstone v National Union of Mineworkers (Yorkshire Area) and National Union of Mineworkers [1984] 445 – HC
Tayside Regional Council v McIntosh [1982] 272
TBA Industrial Products Ltd v Locke [1984] 48
TBA Industrial Products Ltd v Morland [1982] 331 – CA
Tennants Textile Colours Ltd v Todd [1989] 3 – NICA
Tejani v Superintendent Registrar for the District of Peterborough [1986] 502 – CA
Therm A Stor Ltd v Atkins and others [1983] 78 – CA
Thomas and others v National Coal Board and Barker v National Coal Board [1987] 451
Thomas and others v National Union of Mineworkers (South Wales Area) and others [1985] 136 – HC
Thomas Scott & Sons (Bakers) Ltd v Allen and others [1983] 329 – CA and [1983] 66
Thomson v Alloa Motor Company Ltd [1983] 403
Thompson v ASDA MFI Group plc [1988] 340 – HC
Thompson, Gray and Nicholson v Smiths Shiprepairers (North Shields) Ltd; Blacklock and Waggott v Swan Hunter Shipbuilders Ltd; Mitchell v Vickers Armstrong Ltd and Swan Hunter Shipbuilders Ltd [1984] 93 – HC
Thompson v T Lohan (Plant Hire) Ltd and JW Hurdiss Ltd [1987] 148 – CA
Tilgate Pallets Ltd v Barras and others [1983] 231
Tipper v Roofdec Ltd [1989] 419
Tottenham Green Under Fives' Centre v Marshall [1989] 147
Tower Hamlets Health Authority v Anthony [1989] 394 – CA and [1988] 331
Tracey v Zest Equipment Co Ltd [1982] 268
Transport & General Workers' Union v Ledbury Preserves (1928) Ltd [1986] 492 and [1985] 412
Trico-Folberth Ltd v Devonshire [1989] 396 – CA
Trimble v Supertravel Ltd [1982] 451
Trusthouse Forte (Catering) Ltd v Adonis [1984] 382
Turner v Labour Party and Labour Party Superannuation Society [1987] 101 – CA

U

Ulsterbus Ltd v Henderson [1989] 251 – NICA
Union Traffic Ltd v TGWU and others [1989] 127 – CA
United Bank Ltd v Akhtar [1989] 507
Universe Tankships Inc of Monrovia v International Transport Workers' Federation and others [1982] 200 – HL
University of Liverpool v Humber and Birch [1985] 165 – CA and [1984] 54

V

Vosper Thornycroft (UK) Ltd v TGWU and GMBATU [1988] 232

W

Wadham Stringer Commercials (London) Ltd and Wadham Stringer Vehicles Ltd v Brown [1983] 46
Wadley v Eager Electrical Ltd [1986] 93
Waite v Government Communications Headquarters [1983] 341 – HL and [1983] 161 – CA
Walmsley v C&R Ferguson Ltd [1989] 112 – CS
Warren v Mendy and another [1989] 210 – CA
Warrilow v Robert Walker Ltd [1984] 304
Watches of Switzerland Ltd v Savell [1983] 141, 147 – HC
West Bromwich Building Society v Townsend [1983] 112 – HL, [1985] 116 – CA and [1983] 276
West v Kneels [1986] 430
West Midland Co-operative Society Ltd v Tipton [1986]
West Midlands Passenger Transport Executive v Singh [1988] 186 – CA and [1987] 351
Weston v Vega Space Systems Engineering Ltd [1989] 429
Westwood v Secretary of State for Employment [1984] 209 – HL, [1983] 419 – CA and [1982] 350
Wheeler v Patel and J Golding Group of Companies [1987] 211
Whitbread & Co plc v Mills [1988] 501
Whitbread & Co plc v Thomas and others [1988] 43
White v Holbrook Precision Castings [1985] 215 – CA
Whittle v Manpower Services Commission [1987] 441 – CA
Wicks v Firth (HM Inspector of Taxes) and Johnson v Firth (HM Inspector of Taxes) [1983] 80 – HL and [1982] 25 – CA
Wignall v British Gas Corporation [1984] 493
Wileman v Minilec Engineering Ltd [1988] 144
Willcox and another v Hastings and another [1987] 298 – CA
William Muir (Bond 9) Ltd v Lamb [1985] 95
Williams and others v Compair Maxam [1982] 83
Williams v National Theatre Board Ltd [1982] 377 – CA
Wiluszynski v London Borough of Tower Hamlets [1989] 259 – CA and [1988] 154 – HC
Wass W&J Ltd v Binns [1982] 283 – CA
Wood v Cunard Line Ltd [1989] 431
Woodcock and others v Committee for the Time Being of the Friends School, Wigton and Genwise Ltd [1987] 98 – CA and [1986] 490
Woods v WM Car Services (Peterborough) Ltd [1982] 413 – CA
Worringham and Humphreys v Lloyds Bank Ltd [1982] 74 – CA

Y

Young and others v United Kingdom [1983] 35 – ECHR

Cumulative Case Index

100 CONTRACTS OF EMPLOYMENT

101 Meaning of "employee"

Cowell v Quilter Goodison & Co Ltd and another [1989] IRLR 392 – CA

Eaton v Robert Eaton Ltd and Secretary of State for Employment [1988] IRLR 83

Ironmonger v Movefield Ltd [1988] IRLR 461

McLeod and others v Hellyer Brothers Ltd and Wilson and another v Boston Deep Sea Fisheries Ltd [1987] IRLR 232 – CA

Davies v Presbyterian Church of Wales [1986] IRLR 194 – HL

Miles v Wakefield Metropolitan District Council [1985] IRLR 108 – CA

Hyland v JH Barker (North-West) Ltd [1985] IRLR 403

President of the Methodist Conference v Parfitt [1984] IRLR 141 – CA

Nethermere (St Neots) Ltd v Taverna and Gardiner [1984] IRLR 240 – CA and [1983] IRLR 103

Daley v Allied Suppliers Ltd [1983] IRLR 14

O'Kelly and others v Trusthouse Forte plc [1983] IRLR 369 – CA

Oliver v JP Malnick & Co [1983] IRLR 456

110 Written particulars

Mears v Safecar Security Ltd [1982] IRLR 183 – CA

110.1 Written particulars – Legal effect

Trusthouse Forte (Catering) Ltd v Adonis [1984] IRLR 382

Robertson and Jackson v British Gas Corporation [1983] IRLR 302 – CA

111.9 Written particulars – Items to be specified – Sick pay

Howman & Son v Blyth [1983] IRLR 139

Mears v Safecar Security Ltd [1982] IRLR 183 – CA

120 Terms of employment

Reid v Rush and Tompkins Group plc [1989] IRLR 265 – CA

Stubbes v Trower, Still & Keeling [1987] IRLR 321 – CA

Cadoux v Central Regional Council [1986] IRLR 131 – CS

R v Secretary of State for Foreign and Commonwealth Affairs ex parte Council of Civil Service Unions and others [1985] IRLR 28 – HL, [1984] IRLR 353 – CA and [1984] IRLR 309 – HC

City and Hackney Health Authority v National Union of Public Employees and others [1985] IRLR 252 – CA

Strathclyde Regional Council v Neil [1984] IRLR 14 and 11

Sybron Corporation and another v Rochem Ltd and others [1983] IRLR 253 – CA

Horcal Ltd v Gatland [1983] IRLR 459 – HC

Tayside Regional Council v McIntosh [1982] IRLR 272

Riley v Joseph Frisby Ltd [1982] IRLR 479

120.1 Terms of employment – Restrictive covenant

Lawrence David Ltd v Ashton [1989] IRLR 22 – CA

Provident Financial Group plc and another v Hayward [1989] IRLR 84 – CA

Hinton & Higgs (UK) Ltd v Murphy and another [1989] IRLR 519 – CS

Allied Dunbar (Frank Weisinger) Ltd v Weisinger [1988] IRLR 60 – HC

Sadler v Imperial Life Assurance Co of Canada Ltd [1988] IRLR 388 – HC

Spencer v Marchington [1988] IRLR 392 – HC

Rex Stewart Jeffries Parker Ginsberg Ltd v Parker and another [1988] IRLR 483 – CA

Evening Standard Co Ltd v Henderson [1987] IRLR 64 – CA

Roger Bullivant Ltd and others v Ellis and others [1987] IRLR 491 – CA

Marley Tile Co Ltd v Johnson [1982] IRLR 75 – CA

120.2 Terms of employment – Secrecy agreement

Lawrence David Ltd v Ashton [1989] IRLR 22 – CA

Faccenda Chicken Ltd v Fowler and others [1986] IRLR 69 – CA and [1984] IRLR 61 – HC

Norbrook Laboratories Ltd v King and Norbrook Laboratories Ltd v Sands [1984] IRLR 200 – NICA and [1982] IRLR 456 – NI HC

120.5 Terms of employment – Duration

Dalgleish v Kew House Farm Ltd [1982] IRLR 251 – CA

121 Terms of employment – Job grading/title

Bridgen v Lancashire County Council [1987] IRLR 58 – CA

122 Terms of employment – Job duties

MacPherson v London Borough of Lambeth [1988] IRLR 470 – HC

Sim v Rotherham Metropolitan Borough Council, Townend v Doncaster Metropolitan Borough Council, Barnfield v Metropolitan Borough Council of Solihull, Rathbone v London Borough of Croydon [1986] IRLR 391 – HC

Metropolitan Borough of Solihull v National Union of Teachers [1985] IRLR 211 – HC

Cresswell and others v Board of Inland Revenue [1984] IRLR 190 – HC

123 Terms of employment – Place of employment

Weston v Vega Space Systems Engineering Ltd [1989] IRLR 429

Wood v Cunard Line Ltd [1989] IRLR 431

Rank Xerox Ltd v Churchill and others [1988] IRLR 280

Courtaulds Northern Spinning Ltd v Sibson and TGWU [1988] IRLR 305 – CA

McAndrew v Prestwick Circuits Ltd [1988] IRLR 514

123.1 Terms of employment – Place of employment – Mobility clause

United Bank Ltd v Akhtar [1989] IRLR 507

124 Terms of employment – Pay

Wiluszynski v London Borough of Tower Hamlets [1989] IRLR 259 – CA

Cooner v PS Doal & Sons [1988] IRLR 338

Murco Petroleum Ltd v Forge [1987] IRLR 50

Rigby v Ferodo Ltd [1987] IRLR 61 – CA

Miles v Wakefield Metropolitan District Council [1987] IRLR 193 – HL and [1985] IRLR 108 – CA

Kinzley v Minories Finance Ltd [1987] IRLR 490

Miller v Hamworthy Engineering Ltd [1986] IRLR 465 – CA

R v Hertfordshire County Council ex parte National Union of Public Employees and others and R v East Sussex County Council ex parte National Union of Public Employees and others [1985] IRLR 258 – CA

Gibbons v Associated British Ports [1985] IRLR 376 – HC

R v Liverpool City Corporation ex parte Ferguson and Ferguson [1985] IRLR 501 – HC

Burdett-Coutts and others v Hertfordshire County Council [1984] IRLR 91 – HC

Donelan v Kerrby Constructions Ltd and Secretary of State for Employment [1983] IRLR 191

124.2 Terms of employment – Pay – Bonus scheme

Bond v CAV Ltd and Neads v CAV Ltd [1983] IRLR 360 – HC

124.3 Terms of employment – Pay – Motor allowance

Keir and Williams v Hereford and Worcester County Council [1985] IRLR 505 – CA

125 Terms of employment – Hours of work

Society of Licensed Victuallers v Chamberlain [1989] IRLR 421

Lewis v Surrey County Council [1987] IRLR 509 – HL, [1986] IRLR 455 – CA and [1986] IRLR 11

Suffolk County Council v Secretary of State for the Environment and Alcock [1985] IRLR 24 – HL

Secretary of State for Employment v Deary and others and Cambridgeshire County Council [1984] IRLR 180

Lotus Cars Ltd v Sutcliffe and Stratton [1982] IRLR 381 – CA

125.1 Terms of employment – Hours of work – Overtime

Evans v Elemeta Holdings [1982] IRLR 143

127 Terms of employment – Notice

Secretary of State for Employment v Staffordshire County Council [1989] IRLR 117 – CA and [1988] IRLR 3

Secretary of State for Employment v Cameron Iron Works [1989] IRLR 117 – CA

Boxfoldia Ltd v National Graphical Association (1982) [1988] IRLR 383 – HC

Evening Standard Co Ltd v Henderson [1987] IRLR 64 – CA

Metropolitan Borough of Solihull v National Union of Teachers [1985] IRLR 211 – HC

Bond v CAV Ltd and Neads v CAV Ltd [1983] IRLR 360 – HC

127.2 Terms of employment – Notice – Payment in lieu

Gothard v Mirror Group Newspapers Ltd [1988] IRLR 396 – CA

Rex Stewart Jeffries Parker Ginsberg Ltd v Parker and another [1988] IRLR 483 – CA

129 Terms of employment – Sick pay/sick leave

Hooper v British Railways Board [1988] IRLR 517 – CA

Notcutt v Universal Equipment Co (London) Ltd [1986] IRLR 218 – CA

Smiths Industries Aerospace & Defence Systems Ltd v Brookes [1986] IRLR 434

Howman & Son v Blyth [1983] IRLR 139

Mears v Safecar Security Ltd [1982] IRLR 183 – CA

130 Terms of employment – Pension rights/retirement

Mihlenstedt v Barclays Bank International Ltd and another [1989] IRLR 522 – CA

Gothard v Mirror Group Newspapers Ltd [1988] IRLR 396 – CA

Swaine v Health and Safety Executive [1986] IRLR 205

Highlands & Islands Development Board v MacGillivray [1986] IRLR 210 – CS

Waite v Government Communications Headquarters [1983] IRLR 341 – HL and [1983] IRLR 161 – CA

DHSS v Coy [1983] IRLR 474

Age Concern Scotland v Hines [1983] IRLR 477

131 Terms of employment – Duty of fidelity

Roger Bullivant Ltd and others v Ellis and others [1987] IRLR 491 – CA

Johnson & Bloy (Holdings) Ltd and Johnson & Bloy Ltd v Wolstenholme Rink plc and Fallon [1987] IRLR 499 – CA

Faccenda Chicken Ltd v Fowler and others [1986] IRLR 69 – CA

Nova Plastics Ltd v Froggatt [1982] IRLR 146

131.1 Terms of employment – Duty of fidelity – Trade secrets

Lock International plc v Beswick and others [1989] IRLR 481 – HC

131.2 Terms of employment – Duty of fidelity – Confidential information

In re a company's application [1989] IRLR 477 – HC

Lock International plc v Beswick and others [1989] IRLR 481 – HC

132 Terms of employment – Director's fiduciary duty

Horcal Ltd v Gatland [1984] IRLR 288 – CA and [1983] IRLR 459 – HC

Maintenance Co Ltd v Dormer [1982] IRLR 491

133 Terms of employment – Duty to take reasonable care

Reid v Rush and Tompkins Group plc [1989] IRLR 265 – CA

Dutton & Clark Ltd v Daly [1985] IRLR 363

134 Terms of employment – Duty of mutual trust and confidence

United Bank Ltd v Akhtar [1989] IRLR 507

Wadley v Eager Electrical Ltd [1986] IRLR 93

Laughton and Hawley v Bapp Industrial Supplies Ltd [1986] IRLR 245

City and Hackney Health Authority v National Union of Public Employees and others [1985] IRLR 252 – CA

Bliss v South East Thames Regional Health Authority [1985] IRLR 308 – CA

136 Terms of employment – Lay off

Miller v Hamworthy Engineering Ltd [1986] IRLR 461 – CA

Kenneth MacRae & Co Ltd v Dawson [1984] IRLR 5

Bond v CAV Ltd and Neads v CAV Ltd [1983] IRLR 360 – HC

137 Terms of employment – Appeals procedure

Palmer and Saunders v Southend-on-Sea Borough Council [1984] IRLR 119 – CA

Snaith, In re [1982] IRLR 157 – NIHC

R v BBC ex parte Lavelle [1982] IRLR 404 – HC

138 Terms of employment – Disputes procedure

Tadd v Eastwood and Daily Telegraph Ltd [1985] IRLR 119 – CA and [1983] IRLR 320 – HC

Irani v Southampton and South-West Hampshire Health Authority [1985] IRLR 203 – HC

139 Terms of employment – Disciplinary procedure

Ali v London Borough of Southwark [1988] IRLR 100 – HC

Dietman v London Borough of Brent [1988] IRLR 299 – CA and [1987] IRLR 259 – HC

McGoldrick v London Borough of Brent [1987] IRLR 67 – CA

Batchelor v British Railways Board [1987] IRLR 136 – CA

R v Chief Constable of South Wales ex parte Thornhill [1987] IRLR 313 – CA

Saeed v Greater London Council (Inner London Education Authority) [1986] IRLR 23 – HC

Honeyford v City of Bradford Metropolitan Council and another [1986] IRLR 32 – CA

Calveley and others v Merseyside Police [1986] IRLR 177 – CA

City and Hackney Health Authority v National Union of Public Employees and others [1985] IRLR 252 – CA

150.2 Employment-related torts – Conspiracy

Faccenda Chicken Ltd v Fowler and others [1984] IRLR 61 – HC

160 Effect of collective agreement

Marley v Forward Trust Group Ltd [1986] IRLR 369 – CA and [1986] IRLR 43

Cadoux v Central Regional Council [1986] IRLR 131 – CS

NCB v NUM and others [1986] IRLR 439 – HC

Miller v Hamworthy Engineering Ltd [1986] IRLR 461 – CA

Tadd v Eastwood and Daily Telegraph Ltd [1985] IRLR 119 – CA and [1983] IRLR 320 – HC

City and Hackney Health Authority v National Union of Public Employees and others [1985] IRLR 252 – CA

Gibbons v Associated British Ports [1985] IRLR 376 – HC

Robertson and Jackson v British Gas Corporation [1983] IRLR 302 – HC
Bond v CAV Ltd and Neads v CAV Ltd [1983] IRLR 360 – HC
169 Effect of Wages Council Order
Cooner v PS Doal & Sons [1988] IRLR 338
170 Termination
R v Chief Constable of South Wales ex parte Thornhill [1987] IRLR 313 – CA
R v Secretary of State for the Home Department ex parte Benwell [1985] IRLR 6 – HC
R v Hertfordshire County Council ex parte National Union of Public Employees and others and R v East Sussex County Council ex parte National Union of Public Employees and others [1985] IRLR 258 – CA
R v East Berkshire Health Authority [1984] IRLR 278 – CA
Blyth v Scottish Liberal Club and others [1983] IRLR 245 – CS
Dalgleish v Kew House Farm Ltd [1982] IRLR 251 – CA
R v BBC ex parte Lavelle [1982] IRLR 404 – HC
171 Termination – Wrongful dismissal
Dietman v London Borough of Brent [1988] IRLR 299 – CA and [1987] IRLR 259 – HC
BSC Sports & Social Club v Morgan [1987] IRLR 391
Irani v Southampton and South-West Hampshire Health Authority [1985] IRLR 203 – HC
Westwood v Secretary of State for Employment [1984] IRLR 209 – HL
174 Termination – Employer repudiation/constructive dismissal
Spencer v Marchington [1988] IRLR 392 – HC
175 Termination – Frustration
Notcutt v Universal Equipment Co (London) Ltd [1986] IRLR 218 – CA
Norris v Southampton City Council [1982] IRLR 141
179 Breach of contract
Warren v Mendy and another [1989] IRLR 210 – CA
Wiluszynski v London Borough of Tower Hamlets [1989] IRLR 259 – CA and [1988] IRLR 154 – HC
Jackson v Foster Wheeler (London) Ltd [1989] IRLR 283
Hughes and others v London Borough of Southwark [1988] IRLR 55 – HC
Ali v London Borough of Southwark [1988] IRLR 100 – HC
Evening Standard Co Ltd v Henderson [1987] IRLR 64 – CA
Batchelor v British Railways Board [1987] IRLR 136 – CA
Stubbes v Trower, Still & Keeling [1987] IRLR 321 – CA
Chapman and Elkin v CPS Computer Group Ltd [1987] IRLR 462 – CA
Rigby v Ferodo Ltd [1987] IRLR 516 – HL and [1987] IRLR 61 – CA
Shook v London Borough of Ealing [1986] IRLR 46
Faccenda Chicken Ltd v Fowler and others [1986] IRLR 69 – CA
Cadoux v Central Regional Council [1986] IRLR 131 – CS
Sim v Rotherham Metropolitan Borough Council, Townend v Doncaster Metropolitan Borough Council, Barnfield v Metropolitan Borough Council of Solihull, Rathbone v London Borough of Croydon [1986] IRLR 391 – HC
Bliss v South East Thames Regional Health Authority [1985] IRLR 308 – CA
Gibbons v Associated British Ports [1985] IRLR 376 – HC
Gill and others v Cape Contracts Ltd [1985] IRLR 499 – NI HC
R v Liverpool City Corporation ex parte Ferguson and Ferguson [1985] IRLR 501 – HC
Keir and Williams v Hereford and Worcester County Council [1985] IRLR 505 – CA
Strathclyde Regional Council v Neil [1984] IRLR 14 and 11
Burdett-Coutts and others v Hertfordshire County Council [1984] IRLR 91 – HC
Royle v Trafford Borough Council [1984] IRLR 184 – HC
Cresswell and others v Board of Inland Revenue [1984] IRLR 190 – HC
Norbrook Laboratories Ltd v King and Norbrook Laboratories Ltd v Sands [1984] IRLR 200 – NICA and [1982] IRLR 456 – NI HC
Trusthouse Forte (Catering) Ltd v Adonis [1984] IRLR 382
Robertson and Jackson v British Gas Corporation [1983] IRLR 302 – CA
Bond v CAV Ltd and Neads v CAV Ltd [1983] IRLR 360 – HC
Norris v Southampton City Council [1982] IRLR 141
Rowe v Radio Rentals Ltd [1982] IRLR 177
180 Continuity of employment
Sillars v Charrington Fuels Ltd [1989] IRLR 152 – CA and [1988] IRLR 180
Payne v Secretary of State for Employment [1989] IRLR 352 – CA
Cowell v Quilter Goodison & Co Ltd and another [1989] IRLR 392 – CA
Tipper v Roofdec Ltd [1989] IRLR 419
Society of Licensed Victuallers v Chamberlain [1989] IRLR 421
Pinkney v Sandpiper Drilling Ltd and others [1989] IRLR 425
Weston v Vega Space Systems Engineering Ltd [1989] IRLR 429
Brook Lane Finance Co Ltd v Bradley [1988] IRLR 283
Dabell v Vale Industrial Services (Nottingham) Ltd and others [1988] IRLR 439 – CA
Secretary of State for Employment v Cohen and Beaupress Ltd [1987] IRLR 169
Byrne v City of Birmingham District Council [1987] IRLR 191 – CA
Lewis v Surrey County Council [1987] IRLR 509 – HL, [1986] IRLR 455 – CA and [1966] IRLR 11
South West Launderettes Ltd v Laidler [1986] IRLR 305 – CA and [1986] IRLR 68
Flack and others v Kodak Ltd [1986] IRLR 255 – CA and [1985] IRLR 443
Ingram v Foxon [1985] IRLR 5
Jeetle v Elster [1985] IRLR 227
Secretary of State for Employment v 1. Deary and others and 2. Cambridgeshire County Council [1984] IRLR 180
Hair Colour Consultants Ltd v Mena [1984] IRLR 386
Ford v Warwickshire County Council [1983] IRLR 126 – HL and [1982] IRLR 246 – CA
191 Remedies – Damages
Warren v Mendy and another [1989] IRLR 210 – CA
Wiluszynski v London Borough of Tower Hamlets [1988] IRLR 154 – HC
Dietman v London Borough of Brent [1987] IRLR 259 – HC
Stubbes v Trower, Still & Keeling [1987] IRLR 321 – CA
Johnson & Bloy (Holdings) Ltd and Johnson & Bloy Ltd v Wolstenholme Rink plc and Fallon [1987] IRLR 499 – CA
Rigby v Ferodo Ltd [1987] IRLR 516 – HL, [1987] IRLR 61 – CA
Sim v Rotherham Metropolitan Borough Council, Townend v Doncaster Metropolitan Borough Council, Barnfield v Metropolitan Borough Council of Solihull, Rathbone v London Borough of Croydon [1986] IRLR 391 – HC
Bliss v South East Thames Regional Health Authority [1985] IRLR 308 – CA
Gill and others v Cape Contracts Ltd [1985] IRLR 499 – NIHC
Strathclyde Regional Council v Neil [1984] IRLR 14 and 11
Shove v Downs Surgical plc [1984] IRLR 17 – HC
Royle v Trafford Borough Council [1984] IRLR 184 – HC
Westwood v Secretary of State for Employment [1984] IRLR 209 – HL
192 Remedies – Declaration
Mihlenstedt v Barclays Bank International Ltd and another [1989] IRLR 522 – CA
R v Secretary of State for Foreign and Commonwealth Affairs ex parte Council of Civil Service Unions and others [1985] IRLR 28 – HL, [1984] IRLR 353 – CA and [1984] IRLR 309 – HC
193 Remedies – Injunction
Lawrence David Ltd v Ashton [1989] IRLR 22 – CA
Provident Financial Group plc and another v Hayward [1989] IRLR 84 – CA
Warren v Mendy and another [1989] IRLR 210 – CA
In re a company's application [1989] IRLR 477 – HC
Lock International plc v Beswick and others [1989] IRLR 481 – HC
Mihlenstedt v Barclays Bank International and another [1989] IRLR 522 – CA
Hughes and others v London Borough of Southwark [1988] IRLR 55 – HC
Ali v London Borough of Southwark [1988] IRLR 100 – HC
MacPherson v London Borough of Lambeth [1988] IRLR 470 – HC
Rex Stewart Jeffries Parker Ginsberg Ltd v Parker and another [1988] IRLR 483 – CA
Evening Standard Co Ltd v Henderson [1987] IRLR 64 – CA
Dietman v London Borough of Brent [1987] IRLR 259 – HC
Powell v London Borough of Brent [1987] IRLR 466 – CA
Roger Bullivant Ltd and others v Ellis and others [1987] IRLR 491 – CA
Johnson & Bloy (Holdings) Ltd and Johnson & Bloy Ltd v Wolstenholme Rink plc and Fallon [1987] IRLR 499 – CA
City and Hackney Health Authority v National Union of Public Employees and others [1985] IRLR 252 – CA
R v BBC ex parte Lavelle [1982] IRLR 404 – HC
194 Remedies – Order of certiorari
Calveley and others v Merseyside Police [1986] IRLR 177 – CA
R v Hertfordshire County Council ex parte National Union of Public Employees and others and R v East Sussex County Council ex parte National Union of Public Employees and others [1985] IRLR 258 – CA
R v Liverpool City Corporation ex parte Ferguson and Ferguson [1985] IRLR 501 – HC
R v East Berkshire Health Authority [1984] IRLR 278 – CA
Snaith, In re [1982] IRLR 157 – NIHC
R v BBC ex parte Lavelle [1982] IRLR 404 – HC
195 Remedies – Anton Piller Order
Lock International plc v Beswick and others [1989] IRLR 481 – HC
196 Remedies – Specific performance
Warren v Mendy and another [1989] IRLR 210 – CA
Hughes and others v London Borough of Southwark [1988] IRLR 55 – HC
Powell v London Borough of Brent [1987] IRLR 466 – CA
Irani v Southampton and South-West Hampshire Health Authority [1985] IRLR 203 – HC
City and Hackney Health Authority v National Union of Public Employees and others [1985] IRLR 252 – CA
R v BBC ex parte Lavelle [1982] IRLR 404 – HC
197 Remedies – Restitution
Horcal Ltd v Gatland [1984] IRLR 288 – CA and [1983] IRLR 459 – HC
Avon County Council v Howlett [1983] IRLR 171 – CA

200 UNFAIR DISMISSAL
211 Exclusions and qualifications – Meaning of "employee"
Ironmonger v Movefield Ltd [1988] IRLR 461
Davies v Presbyterian Church of Wales [1986] IRLR 194 – HL
President of the Methodist Conference v Parfitt [1984] IRLR 141 – CA
Nethermere (St Neots) Ltd v Taverna and Gardiner [1984] IRLR 240 – CA and [1983] IRLR 103
O'Kelly and others v Trusthouse Forte plc [1983] IRLR 369 – CA
Hawley v Fieldcastle & Co Ltd [1982] IRLR 223
Tracey v Zest Equipment Co Ltd [1982] IRLR 268
212 Exclusions and qualifications – Claim in time
Siraj-Eldin v Campbell Middleton Burness & Dickson [1989] IRLR 208 – CS
Ford v Stakis Hotels & Inns Ltd [1988] IRLR 46
Alex Munro (Butchers) Ltd v Nicol [1988] IRLR 49
Machine Tool Industry Research Association v Simpson [1988] IRLR 212 – CA
Batchelor v British Railways Board [1987] IRLR 136 – CA
FC Shepherd & Co Ltd v Jerrom [1985] IRLR 275
Leech v Preston Borough Council [1985] IRLR 337
London Borough of Newham v Ward [1985] IRLR 509 – CA
Palmer and Saunders v Southend-on-Sea Borough Council [1984] IRLR 119 – CA
Swainston v Hetton Victory Club Ltd [1983] IRLR 164 – CA
Churchill v Yeates & Son Ltd [1983] IRLR 187
Slack v Greenham (Plant Hire) Ltd [1983] IRLR 271
TBA Industrial Products Ltd v Morland [1982] IRLR 331 – CA
213 Exclusions and qualifications – Service qualification
Cowell v Quilter Goodison & Co Ltd and another [1989] 392 – CA
Society of Licensed Victuallers v Chamberlain [1989] IRLR 421
Pinkney v Sandpiper Drilling Ltd and others [1989] IRLR 425
Weston v Vega Space Systems Engineering Ltd [1989] IRLR 429
Lanton Leisure Ltd v White and Gibson [1987] IRLR 119
Byrne v City of Birmingham District Council [1987] IRLR 191 – CA
Lewis v Surrey County Council [1987] IRLR 509 – HL, [1986] IRLR 455 – CA and [1986] IRLR 11
West v Kneels Ltd [1986] IRLR 430
Ingram v Foxon [1985] IRLR 5
Jeetle v Elster [1985] IRLR 227
Hyland v JH Barker (North-West) Ltd [1985] IRLR 403
General of the Salvation Army v Dewsbury [1984] IRLR 222
Hair Colour Consultants Ltd v Mena [1984] IRLR 386
Ford v Warwickshire County Council [1983] IRLR 126 – HL and [1982] IRLR 246 – CA
Hawley v Fieldcastle & Co Ltd [1982] IRLR 223
Stapp v Shaftesbury Society [1982] IRLR 326 – CA

213.3 Exclusions and qualifications – Service qualification – 20 or less employees
Strudwick v IBL [1988] IRLR 457
Harford v Swiftrim Ltd [1987] IRLR 360
South West Launderettes Ltd v Laidler [1986] IRLR 305 – CA
Cox v ELG Metals Ltd [1984] IRLR 3
Poparm Ltd v Weekes [1984] IRLR 388
214 Exclusions and qualifications – Upper age limit
Whittle v Manpower Services Commission [1987] IRLR 441
Swaine v Health and Safety Executive [1986] IRLR 205
Secretary of State for Scotland v Meikle [1986] IRLR 208
Highlands & Islands Development Board v MacGillivray [1986] IRLR 210 – CS
Hughes v DHSS, Coy v DHSS, DOE v Jarnell [1985] IRLR 263 – HL and [1983] IRLR 474 [1984] IRLR 360 – CA
Secretary of State for Trade v Douglas [1983] IRLR 63
Waite v Government Communications Headquarters [1983] IRLR 341 – HL and [1983] IRLR 161 – CA
Age Concern Scotland v Hines [1983] IRLR 477
Duke v Reliance Systems Ltd [1982] IRLR 347
215.1 Exclusions and qualifications – Excluded cases – Work ordinarily outside GB
Weston v Vega Space Systems Engineering Ltd [1989] IRLR 429
Wood v Cunard Line Ltd [1989] IRLR 431
Cox v ELG Metals Ltd [1984] IRLR 3
218 Exclusions and qualifications – Agreement precluding complaint
Logan Salton v Durham County Council [1989] IRLR 99
Hennessy v Craigmyle & Co Ltd and ACAS [1986] IRLR 300 – CA and [1985] IRLR 446
Courage Take Home Trade Ltd v Keys [1986] IRLR 427
Gilbert v Kembridge Fibres Ltd [1984] IRLR 52
Slack v Greenham (Plant Hire) Ltd [1983] IRLR 271
Milestone School of English Ltd v Leakey [1982] IRLR 3
Moore v Duport Furniture Products Ltd and others [1982] IRLR 31 – HL
221 Was employee dismissed? – Termination by employer
Logan Salton v Durham County Council [1989] IRLR 99
Sovereign House Security Services Ltd v Savage [1989] IRLR 115 – CA
Kelly v Liverpool Maritime Terminals Ltd [1988] IRLR 310 – CA
Ironmonger v Movefield Ltd [1988] IRLR 461
Shook v London Borough of Ealing [1986] IRLR 46
Lucas v Norton of London Ltd [1984] IRLR 86
McKnight v Adlestones (Jewellers) Ltd [1984] IRLR 453 – NICA
Hindle Gears Ltd v McGinty and others [1984] IRLR 477
British Broadcasting Corporation v Beckett [1983] IRLR 43
Martin v Yeomen Aggregates Ltd [1983] IRLR 49
J&J Stern v Simpson [1983] IRLR 52
Norris v Southampton City Council [1982] IRLR 145
Tracey v Zest Equipment Co Ltd [1982] IRLR 268
Stapp v Shaftesbury Society [1982] IRLR 326 – CA
222 Was employee dismissed? – Termination by agreement/offer of new employment
Logan Salton v Durham County Council [1989] IRLR 99
Igbo v Johnson Matthey Chemicals Ltd [1986] IRLR 215 – CA and [1985] IRLR 189
McKnight v Adlestones (Jewellers) Ltd [1984] IRLR 453 – NICA
Tracey v Zest Equipment Co Ltd [1982] IRLR 268
223 Was employee dismissed? – Resignation/employee repudiation
Sovereign House Security Services Ltd v Savage [1989] IRLR 115 – CA
FC Shepherd & Co Ltd v Jerrom [1985] IRLR 275
Martin v MBS Fastenings (Glynwed) Distribution Ltd [1983] IRLR 198 – CA
Barclay v City of Glasgow District Council [1983] IRLR 313
224 Was employee dismissed? – Employer repudiation/ constructive dismissal
Morrison v Amalgamated Transport & General Workers' Union [1989] IRLR 361 – NICA
FC Shepherd & Co Ltd v Jerrom [1986] IRLR 358 – CA and [1985] IRLR 275
Cawley v South Wales Electricity Board [1985] IRLR 89
Harrison v Norwest Holst Group Administration Ltd [1985] IRLR 240 – CA
Lewis v Motorworld Garages Ltd [1985] IRLR 465 – CA
British Broadcasting Corporation v Beckett [1983] IRLR 43
Wadham Stringer Commercials (London) Ltd and Wadham Stringer Vehicles Ltd v Brown [1983] IRLR 46
Savoia v Chiltern Herb Farms Ltd [1982] IRLR 166 – CA
Woods v WM Car Services (Peterborough) Ltd [1982] IRLR 413 – CA
224.1 Was employee dismissed? – Employer repudiation/constructive dismissal – Change in status, title or grade
Harrison v Norwest Holst Group Administration Ltd [1985] IRLR 240 – CA and [1984] IRLR 419
McNeil v Messrs Charles Crimin (Electrical Contractors) Ltd [1984] IRLR 179
British Broadcasting Corporation v Beckett [1983] IRLR 43
Wadham Stringer Commercials (London) Ltd and Wadham Stringer Vehicles Ltd v Brown [1983] IRLR 46
224.2 Was employee dismissed? – Employer repudiation/constructive dismissal – Change in job content
McNeil v Messrs Charles Crimin (Electrical Contractors) Ltd [1984] IRLR 179
Woods v WM Car Services (Peterborough) Ltd [1982] IRLR 413 – CA
224.3 Was employee dismissed? – Employer repudiation/constructive dismissal – Change in pay or fringe benefits
Delabole Slate Ltd v Berriman [1985] IRLR 305 – CA
224.4 Was employee dismissed? – Employer repudiation/constructive dismissal – Change in place of work
United Bank Ltd v Akhtar [1989] IRLR 507
Courtaulds Northern Spinning Ltd v Sibson and TGWU [1988] IRLR 305 – CA
McAndrew v Prestwick Circuits Ltd [1988] IRLR 514
224.6 Was employee dismissed? – Employer repudiation/constructive dismissal – Employee's safety
Dutton & Clark Ltd v Daly [1985] IRLR 363
224.9 Was employee dismissed? – Employer repudiation/constructive dismissal – Other circumstances entitling the employee to terminate
United Bank Ltd v Akhtar [1989] IRLR 507
Murco Petroleum Ltd v Forge [1987] IRLR 50
Bridgen v Lancashire County Council [1987] IRLR 58 – CA
Lewis v Motorworld Garages Ltd [1985] IRLR 465 – CA
225 Was employee dismissed? – Frustration of contract
FC Shepherd & Co Ltd v Jerrom [1986] IRLR 358 – CA and [1985] IRLR 275
Norris v Southampton City Council [1982] IRLR 141
226 Date of termination
Octavius Atkinson & Sons Ltd v Morris [1989] IRLR 158 – CA
Lanton Leisure Ltd v White and Gibson [1987] IRLR 119
Batchelor v British Railways Board [1987] IRLR 136 – CA
West Midlands Co-operative Society Ltd v Tipton [1986] IRLR 112 – HL
West v Kneels Ltd [1986] IRLR 430
Leech v Preston Borough Council [1985] IRLR 337
London Borough of Newham v Ward [1985] IRLR 509 – CA
Stapp v Shaftesbury Society [1982] IRLR 326 – CA
TBA Industrial Products Ltd v Morland [1982] IRLR 331 – CA
230 Reason for dismissal
Hempell v WH Smith & Sons Ltd [1986] IRLR 95
Delabole Slate Ltd v Berriman [1985] IRLR 305 – CA
Maund v Penwith District Council [1984] IRLR 24 – CA
Savoia v Chiltern Herb Farms Ltd [1982] IRLR 166 – CA
Maintenance Co Ltd v Dormer [1982] IRLR 491
231 No reason for dismissal shown: evidence
Post Office Counters Ltd v Heavey [1989] IRLR 513
Smith v City of Glasgow District Council [1987] IRLR 326 – HL
Shook v London Borough of Ealing [1986] IRLR 46
Adams v Derby City Council [1986] IRLR 163
Hannan v TNT-IPEC (UK) Ltd [1986] IRLR 165
Kent County Council v Gilham and others [1985] IRLR 18 – CA
Babar Indian Restaurant v Rawat [1985] IRLR 57
Maund v Penwith District Council [1984] IRLR 24 – CA and [1982] IRLR 388
Payne v Spook Erection Ltd [1984] IRLR 219
Grootcon (UK) Ltd v Keld [1984] IRLR 302
Hotson v Wisbech Conservative Club [1984] IRLR 422
Thomson v Alloa Motor Co Ltd [1983] IRLR 403
McCrory v Magee [1983] IRLR 414 – NICA
232.1 Reason for dismissal – Capability – Skill/ competence
Whitbread & Co plc v Thomas and others [1988] IRLR 43
RSPCA v Cruden [1986] IRLR 83
Gair v Bevan Harris Ltd [1983] IRLR 368 – CS
232.2 Reason for dismissal – Capability – Health
Trico-Folberth Ltd v Devonshire [1989] IRLR 396 – CA
Hooper v British Railways Board [1988] IRLR 517 – CA
Ford Motor Co Ltd v Nawaz [1987] IRLR 163
Shook v London Borough of Ealing [1986] IRLR 46
Smiths Industries Aerospace & Defence Systems Ltd v Brookes [1986] IRLR 434
Grootcon (UK) Ltd v Keld [1984] IRLR 302
Seymour v British Airways Board [1983] IRLR 55
Lewis v John Adamson & Co Ltd [1982] IRLR 233
233 Reason for dismissal – Qualifications
Tayside Regional Council v McIntosh [1982] IRLR 272
234 Reason for dismissal – Conduct
Thomson v Alloa Motor Co Ltd [1983] IRLR 403
Dunn v Pochin (Contractors) Ltd [1982] IRLR 449
Riley v Joseph Frisby Ltd [1982] IRLR 479
234.1 Reason for dismissal – Conduct – Attendance
Trico-Folberth Ltd v Devonshire [1989] IRLR 396 – CA
Gray v Shetland Norse Preserving Co Ltd [1985] IRLR 53
234.11 Reason for dismissal – Conduct – Attendance – Lateness
Stein v Associated Dairies Ltd [1982] IRLR 447
234.15 Reason for dismissal – Conduct – Attendance – Absenteeism
Lynock v Cereal Packaging Ltd [1988] IRLR 510
234.16 Reason for dismissal – Conduct – Attendance – Refusal to work hours requested
Brandon and Goold v Murphy Bros [1983] IRLR 54
234.18 Reason for dismissal – Conduct – Attendance – Unauthorised absence
Murray MacKinnon v Forno [1983] IRLR 7
Tracey v Zest Equipment [1982] IRLR 268
234.2 Reason for dismissal – Conduct – Inadequate performance
Whitbread & Co plc v Thomas and others [1988] IRLR 43
RSPCA v Cruden [1986] IRLR 83
Smith v City of Glasgow District Council [1985] IRLR 79 – CS
Henderson v Granville Tours Ltd [1982] IRLR 494
234.32 Reason for dismissal – Conduct – Refusal to co-operate with management – Refusal to accept a change in job content
Woods v WM Car Services (Peterborough) Ltd [1982] IRLR 413 – CA
Trimble v Supertravel Ltd [1982] IRLR 451
234.33 Reason for dismissal – Conduct – Refusal to co-operate with management – Refusal to accept a change in pay
Chubb Fire Security Ltd v Harper [1983] IRLR 311
234.34 Reason for dismissal – Conduct – Refusal to co-operate with management – Refusal to accept a change in place of work
Chubb Fire Security Ltd v Harper [1983] IRLR 311
234.36 Reason for dismissal – Conduct – Refusal to co-operate with management – Refusal to obey an order
Payne v Spook Erection Ltd [1984] IRLR 219
Lewis v John Adamson & Co Ltd [1982] IRLR 233
W&J Wass Ltd v Binns [1982] IRLR 283 – CA
234.41 Reason for dismissal – Conduct – Relationship with other employees – Violence
Gibson and others v British Transport Docks Board [1982] IRLR 228
Kingston v British Railways Board [1982] IRLR 274
234.5 Reason for dismissal – Conduct – Relationship with people other than employees
Whitbread & Co plc v Mills [1988] IRLR 501
234.51 Reason for dismissal – Conduct – Relationship with people other than employees – Customers
Rentokil Ltd v Mackin and another [1989] IRLR 286
234.6 Reason for dismissal – Conduct – Alleged or proven criminal acts
ILEA v Gravett [1988] IRLR 497
Hollier v Plysu Ltd [1983] IRLR 260 – CA
234.61 Reason for dismissal – Conduct – Alleged or proven criminal acts – Theft
Linfood Cash & Carry Ltd v Thomson and another [1989] IRLR 235
Post Office Counters Ltd v Heavey [1989] IRLR 513
Harris and Shepherd v Courage Eastern Ltd [1982] IRLR 509 – CA
234.63 Reason for dismissal – Conduct – Alleged or proven criminal acts – Offence unconnected with work
Mathewson v RB Wilson Dental Laboratory Ltd [1988] IRLR 512
234.7 Reason for dismissal – Conduct – Breach of company rules
Murray MacKinnon v Forno [1983] IRLR 7
Ladbroke Racing Ltd v Arnott and others [1983] IRLR 154 – CS
Distillers Co (Bottling Services) Ltd v Gardner [1982] IRLR 47
Iceland Frozen Foods Ltd v Jones [1982] IRLR 439

234.76 Reason for dismissal – Conduct – Breach of company rules – Working in competition
Laughton and Hawley v Bapp Industrial Supplies Ltd [1986] IRLR 245
Nova Plastics Ltd v Froggatt [1982] IRLR 141
Rowe v Radio Rentals Ltd [1982] IRLR 177
234.77 Reason for dismissal – Conduct – Breach of company rules – Dishonesty
Ulsterbus Ltd v Henderson [1989] IRLR 251 – NICA
Pritchett and Dyjasek v J McIntyre Ltd [1987] IRLR 18 – CA
Siggs & Chapman (Contractors) Ltd v Knight [1984] IRLR 83
Hotson v Wisbech Conservative Club [1984] IRLR 422
Royal Society for the Protection of Birds v Croucher [1984] IRLR 425
Sillifant v Powell Duffryn Timber Ltd [1983] IRLR 91
McCrory v Magee [1983] IRLR 414 – NICA
Morley's of Brixton Ltd v Minott [1982] IRLR 270
Maintenance Co Ltd v Dormer [1982] IRLR 491
234.91 Reason for dismissal – Conduct – Failure to disclose criminal conviction
Property Guards Ltd v Taylor and Kershaw [1982] IRLR 175
236 Other substantial reason for dismissal
Wadley v Eager Electrical Ltd [1986] IRLR 93
Hannan v TNT-IPEC (UK) Ltd [1986] IRLR 165
Kent County Council v Gilham and others [1985] IRLR 18 – CA
Richmond Precision Engineering Ltd v Pearce [1985] IRLR 179
North Yorkshire County Council v Fay [1985] IRLR 247 – CA
Kingston v British Railways Board [1984] IRLR 146 – CA and [1982] IRLR 274
Murphy v Epsom College [1984] IRLR 271 – CA and [1983] IRLR 395
Grootcon (UK) Ltd v Keld [1984] IRLR 302
Dobie v Burns International Security Services (UK) Ltd [1984] IRLR 329 – CA and [1983] IRLR 278
Kelman v GJ Oram [1983] IRLR 432
Evans v Elemeta Holdings [1982] IRLR 143
236.5 Other substantial reason for dismissal – Expiration of fixed-term contract
Labour Party v Oakley [1987] IRLR 79
237 Reason for dismissal – Inadmissible reason/union membership grounds
Therm A Stor Ltd v Atkins and others [1983] IRLR 78 – CA
Maund v Penwith District Council [1982] IRLR 399
237.11 Reason for dismissal – Inadmissible reason/union membership grounds – Trade union – Membership
Artisan Press v Srawley and Parker [1986] IRLR 126
Rath v Cruden Construction Ltd [1982] IRLR 9
237.13 Reason for dismissal – Inadmissible reason/union membership grounds – Trade union – Non-membership
Crosville Motor Services Ltd v Ashfield [1986] IRLR 475
McGhee v Midland British Road Services Ltd [1985] IRLR 198
Home Delivery Services Ltd v Shackcloth [1984] IRLR 470
Sakals v United Counties Omnibus Co Ltd [1984] IRLR 474
Rath v Cruden Construction Ltd [1982] IRLR 9
Taylor v Co-operative Retail Services Ltd [1982] IRLR 354 – CA
238 Reason for dismissal – Pregnancy
Brown v Stockton-on-Tees Borough Council [1988] IRLR 263 – HL, [1987] IRLR 230 – CA and [1986] IRLR 432
Grimsby Carpet Co Ltd v Bedford [1987] IRLR 438
Lucas v Norton of London Ltd [1984] IRLR 86
239 Reason for dismissal – Transfer of undertaking
Woodcock and others v Committee for the time being of the Friends School, Wigton and Genwise Ltd [1987] IRLR 98 – CA
Richmond Precision Engineering Ltd v Pearce [1985] IRLR 179
239.1 Reason for dismissal – Transfer of undertaking – Whether reason connected with transfer
Litster and others v Forth Dry Dock & Engineering Co Ltd and another [1989] IRLR 161 – HL
Meikle v McPhail (Charleston Arms) [1983] IRLR 351
239.2 Reason for dismissal – Transfer of undertaking – Economic, technical or organisational reason
Litster and others v Forth Dry Dock & Engineering Co Ltd (formerly Forth Estuary Engineering Ltd) and another [1989] IRLR 161 – HL and [1986] IRLR 59
Gateway Hotels Ltd v Stewart and others [1988] IRLR 287
Wheeler v Patel and J Golding Group of Companies [1987] IRLR 211
Fenton v Stablegold Ltd [1986] IRLR 64
Delabole Slate Ltd v Berriman [1985] IRLR 305 – CA
McGrath v Rank Leisure Ltd [1985] IRLR 323
Anderson and McAlonie v Dalkeith Engineering Ltd [1984] IRLR 429
Meikle v McPhail (Charleston Arms) [1983] IRLR 351
240 Reason for dismissal – Redundancy
Polkey v Edmond Walker (Holdings) Ltd [1987] IRLR 13 – CA
241 Reason for dismissal – Redundancy – Whether reason for dismissal was redundancy
Brown v Stockton-on-Tees Borough Council [1988] IRLR 263 – HL, [1987] IRLR 230 – CA and [1986] IRLR 432
Lamont v Fry's Metals Ltd [1985] IRLR 470 – CA
McKindley v William Hill (Scotland) Ltd [1985] IRLR 492
Maund v Penwith District Council [1984] IRLR 24 – CA and [1982] IRLR 399
241.3 Reason for dismissal – Redundancy – Was dismissal for purposes of redundancy?
Babar Indian Restaurant v Rawat [1985] IRLR 57
241.32 Reason for dismissal – Redundancy – Was dismissal for purposes of redundancy? – Diminishing work requirements
McCrea v Cullen & Davison Ltd [1988] IRLR 30 – NI CA
North Yorkshire County Council v Fay [1985] IRLR 247 – CA
Pink v White and White & Co (Earls Barton) Ltd [1985] IRLR 489
Murphy v Epsom College [1984] IRLR 271 – CA and [1983] IRLR 395
Haden Ltd v Cowen [1982] IRLR 314 – CA and [1982] IRLR 225
242 Reason for dismissal – Redundancy – Selection for redundancy
Brown v Stockton-on-Tees Borough Council [1988] IRLR 263 – HL
Gray v Shetland Norse Preserving Co Ltd [1985] IRLR 53
Green v A&I Fraser (Wholesale Fish Merchants) Ltd [1985] IRLR 55
Grundy (Teddington) Ltd v Plummer and Salt [1983] IRLR 98
Thomson v Alloa Motor Co Ltd [1983] IRLR 403
A Simpson & Son (Motors) v Reid and Findlater [1983] IRLR 401
Abbotts and Standley v Wesson-Glynwed Steels Ltd [1982] IRLR 51
Williams and others v Compair Maxam Ltd [1982] IRLR 83
242.1 Reason for dismissal – Redundancy – Selection for redundancy – Circumstances applied equally to other employees holding similar positions
Robinson v Carrickfergus Borough Council [1983] IRLR 122 – NICA
242.3 Reason for dismissal – Redundancy – Selection for redundancy – Contravention of a customary arrangement
Rogers and others v Vosper Thornycroft (UK) Ltd [1989] IRLR 82 – CA and [1988] IRLR 229
Sheehan and others v Vosper Thornycroft (UK) Ltd [1989] IRLR 82 – CA
Suflex Ltd v Thomas and others [1987] IRLR 435
Tilgate Pallets Ltd v Barras and others [1983] IRLR 231
242.31 Reason for dismissal – Redundancy – Selection for redundancy – Contravention of a customary arrangement – Special reasons for contravention
Suflex Ltd v Thomas and others [1987] IRLR 435
Tilgate Pallets Ltd v Barras and others [1983] IRLR 231
242.4 Reason for dismissal – Redundancy – Selection for redundancy – Contravention of an agreed procedure
Henry v Ellerman City Liners Ltd [1984] IRLR 408 – CA
Tilgate Pallets Ltd v Barras and others [1983] IRLR 231
242.41 Reason for dismissal – Redundancy – Selection for redundancy – Contravention of an agreed procedure – Special reasons for contravention
Cross International v Reid and others [1985] IRLR 387 – CA
Tilgate Pallets Ltd v Barras and others [1983] IRLR 231
242.5 Reason for dismissal – Redundancy – Selection for redundancy – Company policy: reasonableness
BL Cars Ltd v Lewis [1983] IRLR 58
242.51 Reason for dismissal – Redundancy – Selection for redundancy – Company policy: reasonableness – Contravention of company policy
Stockton-on-Tees Borough Council v Brown [1986] IRLR 432
250 Sufficiency of reason for dismissal
Whitbread & Co plc v Mills [1988] IRLR 501
Polkey v AE Dayton Services Ltd (formerly Edmund Walker (Holdings) Ltd) [1987] IRLR 503 – HL
Stacey v Babcock Power Ltd (Construction Division) [1986] IRLR 3
Cawley v South Wales Electricity Board [1985] IRLR 89
Greenall Whitley plc v Carr [1985] IRLR 289
Anandarajah v Lord Chancellor's Department [1984] IRLR 131
Dobie v Burns International Security Services (UK) Ltd [1984] IRLR 329 – CA
Anderson and McAlonie v Dalkeith Engineering Ltd [1984] IRLR 429
Grundy (Teddington) Ltd v Plummer and Salt [1983] IRLR 98
Williams and others v Compair Maxam Ltd [1982] IRLR 83
Savoia v Chiltern Herb Farms Ltd [1982] IRLR 166 – CA
Iceland Frozen Foods Ltd v Jones [1982] IRLR 439
251 Sufficiency of reason for dismissal – Onus of proof
Post Office Counters Ltd v Heavey [1989] IRLR 513
Howarth Timber (Leeds) Ltd v Biscomb [1986] IRLR 52
Smith v City of Glasgow District Council [1985] IRLR 79 – CS
Barratt Construction Ltd v Dalrymple [1984] IRLR 385
Murray MacKinnon v Forno [1983] IRLR 7
Abbotts and Standley v Wesson-Glynwed Steels Ltd [1982] IRLR 51
Nova Plastics Ltd v Froggatt [1982] IRLR 146
Maund v Penwith District Council [1982] IRLR 399
252 Reasonableness in the circumstances: IR Code of Practice
Grundy (Teddington) Ltd v Plummer and Salt [1983] IRLR 98
252.11 Reasonableness in the circumstances: IR Code of Practice – Disciplinary procedure – Fair and effective arrangements
Slater v Leicestershire Health Authority [1989] IRLR 16 – CA
Moyes v Hylton Castle Working Men's Social Club & Institute Ltd [1986] IRLR 482
Read v Phoenix Preservation Ltd [1985] IRLR 93
Distillers Co (Bottling Services) Ltd v Gardner [1982] IRLR 47
Rowe v Radio Rentals Ltd [1982] IRLR 177
Gibson and others v British Transport Docks Board [1982] IRLR 228
252.12 Reasonableness in the circumstances: IR Code of Practice – Disciplinary procedure – Agreed with employee representatives
W Brooks & Son v Skinner [1984] IRLR 379
252.15 Reasonableness in the circumstances: IR Code of Practice – Disciplinary procedure – Circumstances which can lead to penalty known
Ulsterbus Ltd v Henderson [1989] IRLR 251 – NICA
W Brooks & Son Ltd v Skinner [1984] IRLR 379
Trusthouse Forte (Catering) Ltd v Adonis [1984] IRLR 382
Distillers Co (Bottling Services) Ltd v Gardner [1982] IRLR 47
252.17 Reasonableness in the circumstances: IR Code of Practice – Disciplinary procedure – Opportunity to state case
McLaren v National Coal Board [1988] IRLR 215 – CA
Pritchett and Dyjasek v J McIntyre Ltd [1987] IRLR 18 – CA and [1986] IRLR 97
Read v Phoenix Preservation Ltd [1985] IRLR 93
Siggs & Chapman (Contractors) Ltd v Knight [1984] IRLR 83
Anandarajah v Lord Chancellor's Department [1984] IRLR 131
Kingston v British Railways Board [1984] IRLR 146 – CA and [1982] IRLR 274
Murray MacKinnon v Forno [1983] IRLR 7
Sillifant v Powell Duffryn Timber Ltd [1983] IRLR 91
W&J Wass Ltd v Binns [1982] IRLR 283 – CA
Iceland Frozen Foods Ltd v Jones [1982] IRLR 439
Dunn v Pochin (Contractors) Ltd [1982] IRLR 449
Henderson v Granville Tours Ltd [1982] IRLR 494
Harris and Shepherd v Courage Eastern Ltd [1982] IRLR 509 – CA
252.18 Reasonableness in the circumstances: IR Code of Practice – Disciplinary procedure – Opportunity to be represented
Anandarajah v Lord Chancellor's Department [1984] IRLR 131
252.19 Reasonableness in the circumstances: IR Code of Practice – Disciplinary procedure – Opportunity to appeal
Tower Hamlets Health Authority v Anthony [1989] IRLR 394 – CA and [1988] IRLR 331
Whitbread & Co plc v Mills [1988] IRLR 501
West Midlands Co-operative Society Ltd v Tipton [1986] IRLR 112 – HL, [1985] IRLR 116 – CA and [1983] IRLR 276
Stein v Associated Dairies Ltd [1982] IRLR 447
252.2 Reasonableness in the circumstances: IR Code of Practice – Operating the disciplinary procedure
Whitbread & Co plc v Thomas and others [1988] IRLR 43
Whitbread & Co plc v Mills [1988] IRLR 501

RSPCA v Cruden [1986] IRLR 83
Stein v Associated Dairies Ltd [1982] IRLR 447
252.21 Reasonableness in the circumstances: IR Code of Practice – Operating the disciplinary procedure – Warnings
Tower Hamlets Health Authority v Anthony [1989] IRLR 394 – CA and [1988] IRLR 331
Gray v Shetland Norse Preserving Co Ltd [1985] IRLR 53
252.22 Reasonableness in the circumstances: IR Code of Practice – Operating the disciplinary procedure – Gross misconduct: dismissal for first breach
Trusthouse Forte (Catering) Ltd v Adonis [1984] IRLR 382
253 Reasonableness in the circumstances: Conduct and capability
Rentokil Ltd v Mackin and another [1989] IRLR 286
Whitbread & Co plc v Thomas and others [1988] IRLR 43
Polkey v AE Dayton Services Ltd (formerly Edmund Walker (Holdings) Ltd) [1987] IRLR 503 – HL and [1987] IRLR 13 – CA
Shook v London Borough of Ealing [1986] IRLR 46
Hereford and Worcester County Council v Neale [1986] IRLR 168 – CA and [1985] IRLR 281
FC Shepherd & Co Ltd v Jerrom [1985] IRLR 275
Kingston v British Railways Board [1984] IRLR 146 – CA
Payne v Spook Erection Ltd [1984] IRLR 219
Murray MacKinnon v Forno [1983] IRLR 7
Brandon and Goold v Murphy Bros [1983] IRLR 54
Thomson v Alloa Motor Co Ltd [1983] IRLR 403
Property Guards Ltd v Taylor and Kershaw [1982] IRLR 175
Iceland Frozen Foods Ltd v Jones [1982] IRLR 439
Riley v Joseph Frisby Ltd [1982] IRLR 479
Maintenance Co Ltd v Dormer [1982] IRLR 491
253.11 Reasonableness in the circumstances: Conduct and capability – Employer responsibility – Inquiry and investigation
Linfood Cash & Carry Ltd v Thomson and another [1989] IRLR 235
Ulsterbus Ltd v Henderson [1989] IRLR 251 – NICA
Whitbread & Co plc v Thomas and others [1988] IRLR 43
ILEA v Gravett [1988] IRLR 497
Whitbread & Co plc v Mills [1988] IRLR 501
Read v Phoenix Preservation Ltd [1985] IRLR 93
Greenall Whitley plc v Carr [1985] IRLR 289
Siggs & Chapman (Contractors) Ltd v Knight [1984] IRLR 83
Royal Society for the Protection of Birds v Croucher [1984] IRLR 425
Sillifant v Powell Duffryn Timber Ltd [1983] IRLR 91
Distillers Co (Bottling Services) Ltd v Gardner [1982] IRLR 47
Kingston v British Railways Board [1982] IRLR 274
W&J Wass Ltd v Binns [1982] IRLR 283 – CA
Dunn v Pochin (Contractors) Ltd [1982] IRLR 449
Henderson v Granville Tours Ltd [1982] IRLR 494
Harris and Shepherd v Courage Eastern Ltd [1982] IRLR 509 – CA
253.12 Reasonableness in the circumstances: Conduct and capability – Employer responsibility – To establish validity of reason
Linfood Cash & Carry Ltd v Thomson and another [1989] IRLR 235
Ulsterbus Ltd v Henderson [1989] IRLR 251 – NICA
ILEA v Gravett [1988] IRLR 497
Whitbread & Co plc v Mills [1988] IRLR 501
Smith v City of Glasgow District Council [1987] IRLR 326 – HL and [1985] IRLR 79 – CS
Distillers Co (Bottling Services) Ltd v Gardner [1982] IRLR 47
Lewis v John Adamson & Co Ltd [1982] IRLR 233
253.13 Reasonableness in the circumstances: Conduct and capability – Employer responsibility – To warn of change in practice
W Brooks & Son Ltd v Skinner [1984] IRLR 379
253.14 Reasonableness in the circumstances: Conduct and capability – Employer responsibility – Consistency
Securicor Ltd v Smith [1989] IRLR 356
253.17 Reasonableness in the circumstances: Conduct and capability – Employer responsibility – To inform employee of reason for dismissal
Pritchett and Dyjasek v J McIntyre Ltd [1987] IRLR 18 – CA and [1986] IRLR 97
253.18 Reasonableness in the circumstances: Conduct and capability – Employer responsibility – To attempt to find alternative employment
Clair v Bevan Harris Ltd [1983] IRLR 368 – CS
253.3 Reasonableness in the circumstances: Conduct and capability – Penalty related to offence
Trusthouse Forte (Catering) Ltd v Adonis [1984] IRLR 382
British Broadcasting Corporation v Beckett [1983] IRLR 43
Ladbroke Racing Ltd v Arnott and others [1983] IRLR 154 – CS
Iceland Frozen Foods Ltd v Jones [1982] IRLR 439
253.4 Reasonableness in the circumstances: Conduct and capability – Injury or illness
Lynock v Cereal Packaging Ltd [1988] IRLR 510
Smiths Industries Aerospace & Defence Systems Ltd v Brookes [1986] IRLR 434
Lewis v John Adamson & Co Ltd [1982] IRLR 233
253.41 Reasonableness in the circumstances: Conduct and capability – Injury or illness – Disabled employee
Seymour v British Airways Board [1983] IRLR 55
253.42 Reasonableness in the circumstances: Conduct and capability – Injury or illness – Compliance with sick pay procedure
Hooper v British Railways Board [1988] IRLR 517 – CA
253.43 Reasonableness in the circumstances: Conduct and capability – Injury or illness – Warning/ consultation
Hooper v British Railways Board [1988] IRLR 517 – CA
253.44 Reasonableness in the circumstances: Conduct and capability – Injury or illness – Attempt to find alternative employment
Hooper v British Railways Board [1988] IRLR 517 – CA
Shook v London Borough of Ealing [1986] IRLR 46
253.5 Reasonableness in the circumstances: Conduct and capability – Summary dismissal
Hooper v British Railways Board [1988] IRLR 517 – CA
BSC Sports & Social Club v Morgan [1987] IRLR 391
253.53 Reasonableness in the circumstances: Conduct and capability – Summary dismissal – Dishonesty
Hotson v Wisbech Conservative Club [1984] IRLR 422
253.55 Reasonableness in the circumstances: Conduct and capability – Summary dismissal – Gross misconduct
Siraj-Eldin v Campbell Middleton Burness & Dickson [1989] IRLR 208 – CS
Laughton and Hawley v Bapp Industrial Supplies Ltd [1986] IRLR 245
Tracey v Zest Equipment Co Ltd [1982] IRLR 268
253.56 Reasonableness in the circumstances: Conduct and capability – Summary dismissal – Offence unconnected with work
Mathewson v RB Wilson Dental Laboratory Ltd [1988] IRLR 512
253.6 Reasonableness in the circumstances: Conduct and capability – Breach of contract
Chubb Fire Security Ltd v Harper [1983] IRLR 311
254 Reasonableness in the circumstances – Redundancy
Forth Estuary Engineering Ltd v Litster and others [1988] IRLR 289 – CS and [1986] IRLR 59
Stacey v Babcock Power Ltd (Construction Division) [1986] IRLR 3
Rolls-Royce Motors Ltd v Dewhurst and others [1985] IRLR 184
McGrath v Rank Leisure Ltd [1985] IRLR 323
Henry v Ellerman City Liners Ltd [1984] IRLR 408 – CA
Grundy (Teddington) Ltd v Plummer and Salt [1983] IRLR 98
Meikle v McPhail (Charleston Arms) [1983] IRLR 351
Murphy v Epsom College [1983] IRLR 395
A Simpson & Son (Motors) v Reid and Findlater [1983] IRLR 401
Buchanan v Tilcon Ltd [1983] IRLR 417 – CS
Williams and others v Compair Maxam Ltd [1982] IRLR 83
Cowen v Haden Ltd [1982] IRLR 225
Maund v Penwith District Council [1982] IRLR 399
254.1 Reasonableness in the circumstances – Redundancy – Attempt to find alternative employment
Octavius Atkinson & Sons Ltd v Morris [1989] IRLR 158 – CA
Labour Party v Oakley [1987] IRLR 79
Elliott v Richard Stump Ltd [1987] IRLR 215
MDH Ltd v Sussex [1986] IRLR 123
Gray v Shetland Norse Preserving Co Ltd [1985] IRLR 53
Barratt Construction Ltd v Dalrymple [1984] IRLR 385
Robinson v Carrickfergus Borough Council [1983] IRLR 122 – NI CA
Abbotts and Standley v Wesson-Glynwed Steels Ltd [1982] IRLR 51
Williams and others v Compair Maxam Ltd [1982] IRLR 83
254.3 Reasonableness in the circumstances – Redundancy – Warning
Polkey v AE Dayton Services Ltd (formerly Edmund Walker (Holdings) Ltd) [1987] IRLR 503 – HL and [1987] IRLR 13 – CA
Gray v Shetland Norse Preserving Co Ltd [1985] IRLR 53
Williams and others v Compair Maxam Ltd [1982] IRLR 83
254.4 Reasonableness in the circumstances – Redundancy – Consultation
Mining Supplies (Longwall) Ltd v Baker [1988] IRLR 417
Polkey v AE Dayton Services Ltd (formerly Edmund Walker (Holdings) Ltd) [1987] IRLR 503 – HL and [1987] IRLR 13 – CA
Howarth Timber (Leeds) Ltd v Biscomb [1986] IRLR 52
Graham v ABF Ltd [1986] IRLR 90
Holden v Bradville Ltd [1985] IRLR 483
Lafferty Construction Ltd v Duthie [1985] IRLR 487
Pink v 1. White and 2. White & Co (Earls Barton) Ltd [1985] IRLR 489
Robinson v Carrickfergus Borough Council [1983] IRLR 122 – NICA
Tilgate Pallets Ltd v Barras and others [1983] IRLR 231
Abbotts and Standley v Wesson-Glynwed Steels Ltd [1982] IRLR 51
Williams and others v Compair Maxam Ltd [1982] IRLR 83
Freud v Bentalls Ltd [1982] IRLR 443
254.5 Reasonableness in the circumstances – Redundancy – Basis of selection
Graham v ABF Ltd [1986] IRLR 90
Stockton-on-Tees Borough Council v Brown [1986] IRLR 432
Gray v Shetland Norse Preserving Co Ltd [1985] IRLR 53
Green v A&I Fraser (Wholesale Fish Merchants) Ltd [1985] IRLR 55
Babar Indian Restaurant v Rawat [1985] IRLR 57
BL Cars Ltd v Lewis [1983] IRLR 58
Abbotts and Standley v Wesson-Glynwed Steels Ltd [1982] IRLR 51
Williams and others v Compair Maxam Ltd [1982] IRLR 83
Clarke v Eley (IMI) Kynoch Ltd and Eley (IMI) Kynoch Ltd v Powell [1982] IRLR 482 – EAT and [1982] IRLR 131 – IT
254.6 Reasonableness in the circumstances – Redundancy – Applying the selection procedure
Stockton-on-Tees Borough Council v Brown [1986] IRLR 432
Green v A&I Fraser (Wholesale Fish Merchants) Ltd [1985] IRLR 55
Rolls-Royce Motors Ltd v Dewhurst and others [1985] IRLR 184
BL Cars Ltd v Lewis [1983] IRLR 58
Williams and others v Compair Maxam Ltd [1982] IRLR 83
256 Reasonableness in the circumstances – Other substantial reason
Oakley v Labour Party [1988] IRLR 34 – CA and [1987] IRLR 79
Wadley v Eager Electrical Ltd [1986] IRLR 93
Kent County Council v Gilham and others [1985] IRLR 18 – CA
Richmond Precision Engineering Ltd v Pearce [1985] IRLR 179
North Yorkshire County Council v Fay [1985] IRLR 247 – CA
Dobie v Burns International Security Services (UK) Ltd [1984] IRLR 329 – CA and [1983] IRLR 278
Chubb Fire Security Ltd v Harper [1983] IRLR 311
Meikle v McPhail (Charleston Arms) [1983] IRLR 351
Kelman v GJ Oram [1983] IRLR 432
Evans v Elemeta Holdings [1982] IRLR 143
257 Sufficiency of reason for dismissal – Equity and substantial merits of the case
Pritchett and Dyjasek v J McIntyre Ltd [1987] IRLR 18 – CA
West Midlands Co-operative Society Ltd v Tipton [1986] IRLR 112 – HL
Ladbroke Racing Ltd v Arnott and others [1983] IRLR 154 – CS
Dobie v Burns International Security Services (UK) Ltd [1983] IRLR 278
259 Sufficiency of reason for dismissal – Size and administrative resources of the undertaking
Brandon and Goold v Murphy Bros [1983] IRLR 54
Meikle v McPhail (Charleston Arms) [1983] IRLR 351
Henderson v Granville Tours Ltd [1982] IRLR 494
261 Dismissal and industrial action – Strike
McKenzie v Crosville Motor Services Ltd [1989] IRLR 516
Bolton Roadways Ltd v Edwards and others [1987] IRLR 392
Express & Star Ltd v Bunday and others [1987] IRLR 422 – CA
Hindle Gears Ltd v McGinty and others [1984] IRLR 477
Midland Plastics v Till and others [1983] IRLR 9
262 Dismissal and industrial action – Other industrial action
Midland Plastics v Till and others [1983] IRLR 9
Faust and others v Power Packing Casemakers Ltd [1983] IRLR 117 – CA
Naylor and others v Orton & Smith and MD Tweddell Engineering Ltd [1983] IRLR 233

263 Dismissal and industrial action – Selection for dismissal
Munir and another v Jang Publications Ltd [1989] IRLR 224 – CA
P&O European Ferries (Dover) Ltd v Byrne [1989] IRLR 254 – CA
Coates and Venables v Modern Methods & Materials Ltd [1982] IRLR 318 – CA
264 Dismissal and industrial action – Selection for offer of re-engagement
Bolton Roadways Ltd v Edwards and others [1987] IRLR 392
Express & Star Ltd v Bunday and others [1986] IRLR 477
Courtaulds Northern Spinning Ltd v Moosa [1984] IRLR 43
Highlands Fabricators Ltd v McLaughlin [1984] IRLR 482
Williams and others v National Theatre Board [1982] IRLR 377 – CA
266 Dismissal and industrial action – Date of dismissal
Bolton Roadways Ltd v Edwards and others [1987] IRLR 392
Express & Star Ltd v Bunday and others [1986] IRLR 477
267 Dismissal and industrial action – Lock-out
Express & Star Ltd v Bunday and others [1987] IRLR 422 – CA and [1986] IRLR 477
272 Re-employment – Where practicable
ILEA v Gravett [1988] IRLR 497
Boots Co plc v Lees-Collier [1986] IRLR 485
Freemans plc v Flynn [1984] IRLR 486
273 Re-employment – In accordance with equity
ILEA v Gravett [1988] IRLR 497
Boots Co plc v Lees-Collier [1986] IRLR 485
274 Re-employment – Reinstatement/re-engagement
Nairne v Highland & Islands Fire Brigade [1989] IRLR 366 – CS
Polkey v AE Dayton Services Ltd (formerly Edmund Walker (Holdings) Ltd) [1987] IRLR 503 – HL
Artisan Press v Srawley and Parker [1986] IRLR 126
Lilley Construction Ltd v Dunn [1984] IRLR 483
274.6 Re-employment – Reinstatement/re-engagement – Terms
Electronic Data Processing Ltd v Wright [1986] IRLR 8
274.63 Re-employment – Reinstatement/re-engagement – Terms – Compensation – Interim loss
Conoco (UK) Ltd v Neal [1989] IRLR 51
Electronic Data Processing Ltd v Wright [1986] IRLR 8
275 Interim relief
British Coal Corporation v McGinty [1988] IRLR 7
280 Compensation
Conoco (UK) Ltd v Neal [1989] IRLR 51
281 Compensation – Just and equitable in all the circumstances
Trico-Folberth Ltd v Devonshire [1989] IRLR 396
Isleworth Studios Ltd v Rickard [1988] IRLR 137
Babcock FATA Ltd v Addison [1987] IRLR 173 – CA and [1986] IRLR 388
Kinzley v Minories Finance Ltd [1987] IRLR 490
Courage Take Home Trade Ltd v Keys [1986] IRLR 427
FC Shepherd & Co Ltd v Jerrom [1985] IRLR 275
Finnie v Top Hat Frozen Foods [1985] IRLR 365
Iggesund Converters Ltd v Lewis [1984] IRLR 431
MBS Ltd v Calo [1983] IRLR 189
283 Compensation – Compensatory award
Arthur Guinness Son & Co (GB) Ltd v Green [1989] IRLR 288
Mining Supplies (Longwall) Ltd v Baker [1988] IRLR 417
Morton v Chief Adjudication Officer [1988] IRLR 444 – CA
Forth Estuary Engineering Ltd v Litster and others [1986] IRLR 59
Finnie v Top Hat Frozen Foods [1985] IRLR 365
Courtaulds Northern Spinning Ltd v Moosa [1984] IRLR 43
TBA Industrial Products Ltd v Locke [1984] IRLR 48
Lucas and others v Laurence Scott Electromotors Ltd [1983] IRLR 61
Robinson v Carrickfergus Borough Council [1983] IRLR 122 – NI CA
MBS Ltd v Calo [1983] IRLR 189
Les Ambassadeurs Club v Bainda [1982] IRLR 5
Gardiner-Hill v Roland Berger Technics Ltd [1982] IRLR 498
283.1 Compensation – Compensatory award – Past loss
Gilham and others v Kent County Council [1986] IRLR 56
Abbotts and Standley v Wesson-Glynwed Steels Ltd [1982] IRLR 51
283.11 Compensation – Compensatory award – Past loss – Notice period
Isleworth Studios Ltd v Rickard [1988] IRLR 137
Babcock FATA Ltd v Addison [1987] IRLR 173 – CA
283.13 Compensation – Compensatory award – Past loss – Recoupment
Mason v Wimpey Waste Management Ltd and Secretary of State for Employment [1982] IRLR 454
283.2 Compensation – Compensatory award – Future loss
Babcock FATA Ltd v Addison [1987] IRLR 173 – CA
Morganite Electrical Carbon Ltd v Donne [1987] IRLR 363
FC Shepherd & Co Ltd v Jerrom [1985] IRLR 275
283.22 Compensation – Compensatory award – Future loss – Long term
Holroyd v Gravure Cylinders Ltd [1984] IRLR 259
283.5 Compensation – Compensatory award – Loss of protection against unfair dismissal
S H Muffett Ltd v Head [1986] IRLR 488
283.7 Compensation – Compensatory award – Loss of pension rights
Mono Pumps Ltd v Froggatt and Radford [1987] IRLR 368
TBA Industrial Products Ltd v Locke [1984] IRLR 48
Freemans plc v Flynn [1984] IRLR 486
Manpower Ltd v Hearne [1983] IRLR 281
283.8 Compensation – Compensatory award – Loss of service-related notice entitlement
Arthur Guinness Son & Co (GB) Ltd v Green [1989] IRLR 288
284 Compensation – Mitigation of loss
Fyfe v Scientific Furnishings Ltd [1989] IRLR 331
McAndrew v Prestwick Circuits Ltd [1988] IRLR 514
Babcock FATA Ltd v Addison [1987] IRLR 173 – CA
Morganite Electrical Carbon Ltd v Donne [1987] IRLR 363
Scottish & Newcastle Breweries plc v Halliday [1986] IRLR 291
William Muir (Bond 9) Ltd v Lamb [1985] IRLR 95
Martin v Yeomen Aggregates Ltd [1983] IRLR 49
Trimble v Supertravel Ltd [1982] IRLR 451
Gardiner-Hill v Roland Berger Technics Ltd [1982] IRLR 498
285 Compensation – Contributory fault
Morrison v Amalgamated Transport & General Workers' Union [1989] IRLR 361 – NICA
Nairne v Highland & Islands Fire Brigade [1989] IRLR 366 – CS
Whitbread & Co plc v Mills [1988] IRLR 501
Morganite Electrical Carbon Ltd v Donne [1987] IRLR 363
RSPCA v Cruden [1986] IRLR 83
Crosville Motor Services Ltd v Ashfield [1986] IRLR 475
Moyes v Hylton Castle Working Men's Social Club & Institute Ltd [1986] IRLR 482
Boots Co plc v Lees-Collier [1986] IRLR 485
FC Shepherd & Co Ltd v Jerrom [1985] IRLR 275
Finnie v Top Hat Frozen Foods [1985] IRLR 365
Courtaulds Northern Spinning Ltd v Moosa [1984] IRLR 43
TBA Industrial Products Ltd v Locke [1984] IRLR 48
Holroyd v Gravure Cylinders Ltd [1984] IRLR 259
Warrilow v Robert Walker Ltd [1984] IRLR 304
Iggesund Converters Ltd v Lewis [1984] IRLR 431
Murray MacKinnon v Forno [1983] IRLR 7
Hollier v Plysu Ltd [1983] IRLR 260 – CA
Les Ambassadeurs Club v Bainda [1982] IRLR 5
Ladup Ltd v Barnes [1982] IRLR 7
Allen v Hammett [1982] IRLR 89
Property Guards Ltd v Taylor and Kershaw [1982] IRLR 175
Gibson and others v British Transport Docks Board [1982] IRLR 228
Dunn v Pochin (Contractors) Ltd [1982] IRLR 449
Trimble v Supertravel Ltd [1982] IRLR 451
286 Compensation – Additional award
Morganite Electrical Carbon Ltd v Donne [1987] IRLR 363
Freemans plc v Flynn [1984] IRLR 486
287 Compensation – Deductions
Roadchef Ltd v Hastings [1988] IRLR 142
Babcock FATA Ltd v Addison [1987] IRLR 173 – CA and [1986] IRLR 388
Horizon Holidays Ltd v Grassi [1987] IRLR 371
McCarthy v British Insulated Callenders Cables plc [1985] IRLR 94
Finnie v Top Hat Frozen Foods [1985] IRLR 365
TBA Industrial Products Ltd v Locke [1984] IRLR 48
MBS Ltd v Calo [1983] IRLR 189
288 Compensation – Basic award
Fenton v Stablegold Ltd [1986] IRLR 64
RSPCA v Cruden [1986] IRLR 83
Shove v Downs Surgical plc [1984] IRLR 17 – HC
Les Ambassadeurs Club v Bainda [1982] IRLR 5
289.5 Compensation – Review
Ladup Ltd v Barnes [1982] IRLR 7
289.6 Compensation – Special award
Artisan Press v Srawley and Parker [1986] IRLR 126
292 Costs
Colin Johnson v Baxter [1985] IRLR 96
Davidson v John Calder (Publishers) Ltd and Calder Educational Trust Ltd [1985] IRLR 97
Stein v Associated Dairies Ltd [1982] IRLR 447
293 Tribunal procedure
Conoco (UK) Ltd v Neal [1989] IRLR 51
British Newspaper Printing Corporation (North) Ltd v Kelly and others [1989] IRLR 222 – CA
Munir and another v Jang Publications Ltd [1989] IRLR 224 – CA
Arthur Guinness Son & Co (GB) Ltd v Green [1989] IRLR 288
British Coal Corporation v McGinty [1988] IRLR 7
Alex Munro (Butchers) Ltd v Nicol [1988] IRLR 49
Aberdeen Steak Houses Group plc v Ibrahim [1988] IRLR 420
O'Keefe v Southampton City Council [1988] IRLR 424
ILEA v Gravett [1988] IRLR 497
Hooper v British Railways Board [1988] IRLR 517 – CA
Dietman v London Borough of Brent and Wahlstrom v London Borough of Brent [1987] IRLR 146 – CA
Morris v London Iron and Steel Co Ltd [1987] IRLR 182 – CA
Kinzley v Minories Finance Ltd [1987] IRLR 490
Peter Simper & Co Ltd v Cooke [1986] IRLR 19
Hannan v TNT-IPEC (UK) Ltd [1986] IRLR 165
Anandarajah v Lord Chancellor's Department [1984] IRLR 131
Hotson v Wisbech Conservative Club [1984] IRLR 422
Iggesund Converters Ltd v Lewis [1984] IRLR 431
Lilley Construction Ltd v Dunn [1984] IRLR 483
Murphy v Epsom College [1983] IRLR 395
Lamont v Fry's Metals Ltd [1983] IRLR 434
Milestone School of English Ltd v Leakey [1982] IRLR 3
Gibson and others v British Transport Docks Board [1982] IRLR 228
Morley's of Brixton Ltd v Minott [1982] IRLR 270
Dean v Islamic Foundation [1982] IRLR 290 – CA
Trimble v Supertravel Ltd [1982] IRLR 451
293.5 Pre-hearing assessment
Mackie v John Holt Vintners Ltd [1982] IRLR 236
297 No waiver of rights
Igbo v Johnson Matthey Chemicals Ltd [1986] IRLR 215 – CA and [1985] IRLR 189
Moore v Duport Furniture Products Ltd and others [1982] IRLR 31 – HL
298 Discovery and further particulars
P&O European Ferries (Dover) Ltd v Byrne [1989] IRLR 254 – CA
Ford Motor Co Ltd v Nawaz [1987] IRLR 163
Birds Eye Walls Ltd v Harrison [1985] IRLR 47
Dean v Islamic Foundation [1982] IRLR 290 – CA
299 Adviser's negligence
Siraj-Eldin v Campbell Middleton Burness & Dickson [1989] IRLR 208 – CS

300 REDUNDANCY PAYMENTS
311 Exclusions and qualifications – Meaning of "employee"
Eaton v Robert Eaton Ltd and Secretary of State for Employment [1988] IRLR 83
McLeod and others v Hellyer Brothers Ltd and Wilson and another v Boston Deep Sea Fisheries Ltd [1987] IRLR 232 – CA
312 Exclusions and qualifications – Claim in time
Greenwich Health Authority v Skinner and another [1989] IRLR 238
Stevens and others v Bexley Health Authority [1989] IRLR 240
313 Exclusions and qualifications – Service qualification
Tipper v Roofdec Ltd [1989] IRLR 419
McLeod and others v Hellyer Brothers Ltd and Wilson and another v Boston Deep Sea Fisheries Ltd [1987] IRLR 232 – CA
Lewis v Surrey County Council [1987] IRLR 509 – HL, [1986] IRLR 455 – CA and [1986] IRLR 11
Flack and others v Kodak Ltd [1986] IRLR 255 – CA and [1985] IRLR 443
Secretary of State for Employment v Deary and others and Cambridgeshire County Council [1984] IRLR 180
Ford v Warwickshire County Council [1983] IRLR 126 – HL and [1982] IRLR 246 – CA
320 Was employee dismissed?
Birch and Humber v University of Liverpool [1985] IRLR 165 – CA
321 Was employee dismissed? – Termination by employer
Scott and others v Coalite Fuels and Chemicals Ltd [1988] IRLR 131
Caledonian Mining Co Ltd v Bassett and Steel [1987] IRLR 165
McLeod and others v Hellyer Brothers Ltd and Wilson and another v Boston Deep Sea Fisheries Ltd [1987] IRLR 232 – CA
Birch and Humber v University of Liverpool [1985] IRLR 165 – CA and [1984] IRLR 54
321.1 Was employee dismissed? – Termination by employer – Renewal or re-engagement
SI (Systems & Instruments) Ltd v Grist and Riley

[1983] IRLR 391
321.3 Was employee dismissed? – Termination by employer – Termination of fixed-term contract
McLeod and others v Hellyer Brothers Ltd and Wilson and another v Boston Deep Sea Fisheries Ltd [1987] IRLR 232 – CA
321.4 Was employee dismissed? – Termination by employer – Employee's notice during notice period
CPS Recruitment Ltd v Bowen and Secretary of State for Employment [1982] IRLR 54
322 Was employee dismissed? – Termination by agreement
Scott and others v Coalite Fuels and Chemicals Ltd [1988] IRLR 131
Brown and others v Knowsley Borough Council [1986] IRLR 102
Birch and Humber v University of Liverpool [1985] IRLR 165 – CA and [1984] IRLR 54
CPS Recruitment Ltd v Bowen and Secretary of State for Employment [1982] IRLR 54
323 Was employee dismissed? – Resignation – Employee repudiation
Scott and others v Coalite Fuels and Chemicals Ltd [1988] IRLR 131
324 Was employee dismissed? – Employer repudiation/ constructive dismissal
Caledonian Mining Co Ltd v Bassett and Steel [1987] IRLR 165
Marley v Forward Trust Group Ltd [1986] IRLR 43
Kenneth MacRae & Co Ltd v Dawson [1984] IRLR 5
Premier Motors (Medway) Ltd v Total Oil Great Britain Ltd and others [1983] IRLR 471
325 Was employee dismissed? – Frustration of contract
Tipper v Roofdec Ltd [1989] IRLR 419
326 Change in ownership of business
Dabell v Vale Industrial Services (Nottingham) Ltd and others [1988] IRLR 439 – CA
Secretary of State for Employment v Cohen and Beaupress Ltd [1987] IRLR 169
Secretary of State for Employment v Spence and others [1986] IRLR 248 – CA
Atkin v Ward and Haines Watts [1983] IRLR 285
SI (Systems & Instruments) Ltd v Grist and Riley [1983] IRLR 391
Premier Motors (Medway) Ltd v Total Oil Great Britain Ltd and others [1983] IRLR 471
327 Date of termination
Secretary of State for Employment v Staffordshire County Council [1989] IRLR 117 – CA and [1988] IRLR 3
Secretary of State for Employment v Cameron Iron Works [1989] IRLR 117 – CA
330 Was dismissal due to redundancy?
Goricrtree Ltd v Jenkinson [1984] IRLR 391
Anderson and McAlonie v Dalkeith Engineering Ltd [1984] IRLR 429
Canning v Niaz and McLoughlin [1983] IRLR 431
331.1 Was dismissal due to redundancy? – Onus of proof – Statutory presumption
Willcox and another v Hastings and another [1987] IRLR 298 – CA
332.3 Was dismissal due to redundancy? – Cessation of business – Place of work
Rank Xerox Ltd v Churchill and others [1988] IRLR 280
333 Was dismissal due to redundancy? – Diminishing work requirements
Tipper v Roofdec Ltd [1989] IRLR 419
Association of University Teachers v University of Newcastle-upon-Tyne [1988] IRLR 10
Birch and Humber v University of Liverpool [1985] IRLR 165 – CA
North Yorkshire County Council v Fay [1985] IRLR 247 – CA
341 Offer of alternative employment – In writing
McKindley v William Hill (Scotland) Ltd [1985] IRLR 492
342 Offer of alternative employment – Suitability
Spencer and Griffin v Gloucestershire County Council [1985] IRLR 393 – CA
343 Offer of alternative employment – Reasonable refusal
Spencer and Griffin v Gloucestershire County Council [1985] IRLR 393 – CA and [1985] IRLR 59
345 Offer of alternative employment – Trial period
Benton v Sanderson Kayser Ltd [1989] IRLR 19CA and [1988] IRLR 235
Elliot v Richard Stump Ltd [1987] IRLR 215
Hampell v WH Smith & Sons Ltd [1986] IRLR 95
McKindley v William Hill (Scotland) Ltd [1985] IRLR 492
350 Lay-offs
Walmsley v C&R Ferguson Ltd [1989] IRLR 112 – CS
Kenneth MacRae & Co Ltd v Dawson [1984] IRLR 5
370 Calculation of payment
Secretary of State for Employment v Cheltenham Computer Bureau [1985] IRLR 333
373 Calculation of payment – Average weekly rate of remuneration
Keywest Club Ltd v Choudhury and others [1988] IRLR 51
Secretary of State for Employment v Crane [1988] IRLR 238
British Coal Corporation (formerly NCB) v Cheesbrough and Secretary of State for Employment [1988] IRLR 351 – CA and [1988] IRLR 84
Secretary of State for Employment v John Woodrow & Sons (Builders) Ltd [1983] IRLR 11
Donelan v Kerrby Construction Ltd and Secretary of State for Employment [1983] IRLR 191
375 Calculation of payment – Normal working hours
Lotus Cars Ltd v Sutcliffe and Stratton [1982] IRLR 381 – CA
377 Calculation of payment – Supervening misconduct dismissal
Bonner v H Gilbert Ltd [1989] IRLR 474
378 Calculation of payment – Pension offset
Royal Ordnance plc v Pilkington [1989] IRLR 489 – CA and [1988] IRLR 466
380 Contractual redundancy payments
Greenwich Health Authority v Skinner and another [1989] IRLR 238
Stevens and others v Bexley Health Authority [1989] IRLR 240
393 Tribunal procedure
British Newspaper Printing Corporation (North) Ltd v Kelly and others [1989] IRLR 222 – CA
394 Redundancy Fund
Secretary of State for Employment v Levy [1989] IRLR 469
395 Redundancy rebates
Secretary of State for Employment v Staffordshire County Council and Secretary of State for Employment v Cameron Iron Works [1989] IRLR 117 – CA
Secretary of State for Employment v Cheltenham Computer Bureau [1985] IRLR 333
Secretary of State for Employment v John Woodrow & Sons (Builders) Ltd [1983] IRLR 11
397 No waiver of rights
Secretary of State for Employment v Staffordshire County Council and Secretary of State for Employment v Cameron Iron Works [1989] IRLR 117 – CA
Secretary of State for Employment v Deary and others and Cambridgeshire County Council [1984] IRLR 180

400 INDIVIDUAL'S RIGHT TO TRADE UNION MEMBERSHIP AND ACTIVITIES
410 Right to trade union membership
Ridgway and Fairbrother v National Coal Board [1987] IRLR 80 – CA and [1986] IRLR 379
R v Secretary of State for Foreign and Commonwealth Affairs ex parte Council of Civil Service Unions and others [1985] IRLR 28 – HL, [1984] IRLR 353 – CA and [1984] IRLR 309 – HC
411 Right to non-membership
Sakals v United Counties Omnibus Co Ltd [1984] IRLR 474
482 Remedies – Compensation
Ridgway and Fairbrother v National Coal Board [1987] IRLR 80 – CA
491 Claim in time
British Airways Board v Clark and Havill [1982] IRLR 238
492 Costs
Ridgway and Fairbrother v National Coal Board [1987] IRLR 80 – CA

500 EQUAL PAY
501 Meaning of "employment"
Quinnen v Hovells [1984] IRLR 227
511 Exclusions – Retirement or death terms or provisions
Stevens and others v Bexley Health Authority [1989] IRLR 240
Newstead v Department of Transport and HM Treasury [1988] IRLR 66 – ECJ and [1985] IRLR 299
Worringham and Humphreys v Lloyds Bank Ltd [1982] IRLR 74 – CA
Garland v British Rail Engineering Ltd [1982] IRLR 111 – ECJ and [1982] IRLR 257 – HL
513 Exclusions – Claim in time
British Railways Board v Paul [1988] IRLR 20
520 Terms and conditions of employment less favourable
Hayward v Cammell Laird Shipbuilders Ltd [1988] IRLR 257 – HL
521 Terms and conditions of employment less favourable – Pay
Benveniste v University of Southampton [1989] IRLR 122 – CA
Hayward v Cammell Laird Shipbuilders Ltd [1988] IRLR 257 – HL, [1987] IRLR 186 – CA and [1986] IRLR 287
524 Work rated as equivalent – Job evaluation study
Leverton v Clwyd County Council [1989] IRLR 28 – HL
525 Terms and conditions of employment less favourable – Redundancy payment
Stevens and others v Bexley Health Authority [1989] IRLR 240
Secretary of State for Employment v Levy [1989] IRLR 469
Hammersmith and Queen Charlotte's Special Health Authority v Cato [1987] IRLR 483
530 Like work
Thomas and others v NCB and Barker v NCB [1987] IRLR 451
533 Like work – Whether differences are of practical importance
Thomas and others v NCB and Barker v NCB [1987] IRLR 451
534 Like work – Comparison with employee in the same employment
Hasley v Fair Employment Agency [1989] IRLR 106 – NICA
540 Work rated as equivalent
Commission of the European Communities v United Kingdom of Great Britain and NI [1982] IRLR 333 – ECJ
542 Work rated as equivalent – Job evaluation study
Bromley and others v H&J Quick Ltd [1988] IRLR 249 – CA and [1987] IRLR 456
Arnold v Beecham Group Ltd [1982] IRLR 307
545 Work of equal value – Scope of claims
Leverton v Clwyd County Council [1989] IRLR 28 – HL and [1988] IRLR 239 – CA
Hayward v Cammell Laird Shipbuilders Ltd [1988] IRLR 257 – HL and [1987] IRLR 186 – CA
Murphy and others v Bord Telecom Eireann [1988] IRLR 267 – ECJ
Pickstone and others v Freemans plc [1988] IRLR 357 – HL, [1987] IRLR 218 – CA and [1986] IRLR 335
546 Work of equal value – Screening hearing
Leverton v Clwyd County Council [1989] IRLR 28 – HL
Davies v McCartneys [1989] IRLR 439
Reed Packaging Ltd v Boozer and another [1988] IRLR 333
Dennehy v Sealink UK Ltd [1987] IRLR 120
546.1 Work of equal value – Screening hearing – Onus of proof
Bromley and others v H&J Quick Ltd [1988] IRLR 249 – CA and [1987] IRLR 456
Neil and others v Ford Motor Co Ltd [1984] IRLR 339
546.2 Work of equal value – Screening hearing – Work previously evaluated
Avon County Council v I. Foxall and others and 2. Webb and others [1989] IRLR 435
Bromley and others v H&J Quick Ltd [1988] IRLR 249 – CA and [1987] IRLR 456
546.3 Work of equal value – Screening hearing – Discriminatory evaluations
Bromley and others v H&J Quick Ltd [1988] IRLR 249 – CA and [1987] IRLR 456
Neil and others v Ford Motor Co Ltd [1984] IRLR 339
547 Work of equal value – Independent expert's report
Tennants Textile Colours Ltd v Todd [1989] IRLR 3 – NICA
Leverton v Clwyd County Council [1989] IRLR 28 – HL
Hayward v Cammell Laird Shipbuilders Ltd [1984] IRLR 463
550 Genuine material difference
Benveniste v University of Southampton [1989] IRLR 122 – CA
Davies v McCartneys [1989] IRLR 439
R v Secretary of State for Social Services and others ex parte Clarke and others [1988] IRLR 22 – HC
Hayward v Cammell Laird Shipbuilders Ltd [1988] IRLR 257 – HL
Rainey v Greater Glasgow Health Board [1987] IRLR 26 – HL
552 Genuine material difference – Grading
Reed Packaging Ltd v Boozer and another [1988] IRLR 333
556 Genuine material difference – Personal differential
Thomas and others v NCB and Barker v NCB [1987] IRLR 451
557 Genuine material difference – Historical reasons
Rainey v Greater Glasgow Health Board [1987] IRLR 26 – HL, [1985] IRLR 414 – CS and [1984] IRLR 88
559.1 Genuine material difference – Hours of work
Leverton v Clwyd County Council [1989] IRLR 29HL and [1988] IRLR 239 – CA
559.2 Genuine material difference – Economic circumstances of the employer
Benveniste v University of Southampton [1989] IRLR 122 – CA
559.3 Genuine material difference – Market forces
Rainey v Greater Glasgow Health Board [1985] IRLR 414 – CS
561 Comparison with employees in other establishments – Common terms and conditions
Leverton v Clwyd County Council [1989] IRLR 28 – HL and [1988] IRLR 239 – CA
Lawson and others v British Ltd [1988] IRLR 53
Thomas and others v NCB and Barker v NCB [1987]

IRLR 451
562 Comparison with employees in other establishments – Whether employers are associated
Hasley v Fair Employment Agency [1989] IRLR 106 – NICA
582 Damages – Arrears of remuneration
British Railways Board v Paul [1988] IRLR 20
593 Tribunal procedure
Leverton v Clwyd County Council [1989] IRLR IRLR 28 – HL
Lloyds Bank plc v Fox and others [1989] IRLR 103
Avon County Council v 1. Foxall and others and 2. Webb and others [1989] IRLR 435
R v Secretary of State for Social Services and others ex parte Clarke and others [1988] IRLR 22 – HC
Reed Packaging Ltd v Boozer and another [1988] IRLR 333
Thomas and others v NCB and Barker v NCB [1987] IRLR 451
Hayward v Cammell Laird Shipbuilders Ltd [1984] IRLR 463
596 Discovery
Clwyd County Council v Leverton [1985] IRLR 197
598 Effect of European Community law
Leverton v Clwyd County Council [1989] IRLR 28 – HL and [1988] IRLR 239 – CA
Hasley v Fair Employment Agency [1989] IRLR 106 – NICA
Stevens and others v Bexley Health Authority [1989] IRLR 240
Secretary of State for Employment v Levy [1989] IRLR
Rinner-Kühn v FWW Spezial-Gebäudereinigung GmbH & Co KG [1989] IRLR 493 – EC
Handels-OG Kontorfunktionaerernes Forbund i Danmark v Dansk Arbejdsgiverforening [1989] IRLR 532 – EC
Newstead v Department of Transport and HM Treasury [1988] IRLR 66 – ECJ and [1985] IRLR 299
Leverton v Clwyd County Council [1988] IRLR 239 – CA
Hayward v Cammell Laird Shipbuilders Ltd [1988] IRLR 257 – HL, [1987] IRLR 186 – CA and [1986] IRLR 287
Murphy and others v Bord Telecom Eireann [1988] IRLR 267 – ECJ
Pickstone and others v Freemans plc [1988] IRLR 357 – HL and [1987] IRLR 218 – CA
Rainey v Greater Glasgow Health Board [1987] IRLR 26 – HL
Rummler v Dato-Druck GmbH [1987] IRLR 32 – ECJ
Hammersmith and Queen Charlotte's Special Health Authority v Cato [1987] IRLR 483
Bilka-Kaufhaus GmbH v Weber Von Hartz [1986] IRLR 317 – ECJ
Worringham and Humphreys v Lloyds Bank Ltd [1982] IRLR 74 – CA
Garland v British Rail Engineering Ltd [1982] IRLR 111 – ECJ and [1982] IRLR 257 – HL
Commission of the European Communities v United Kingdom of Great Britain and NI [1982] IRLR 333 – ECJ

600 SEX DISCRIMINATION
601 Meaning of "employee"
Mirror Group Newspapers Ltd v Gunning [1986] IRLR 27 – CA and [1985] IRLR 60
Quinnen v Hovells [1984] IRLR 227
611 Direct discrimination
Equal Opportunities Commission for Northern Ireland's Application, Re [1989] IRLR 64 – NIHC
R v Birmingham City Council ex parte EOC [1989] IRLR 173 – HL, [1988] IRLR 430 – CA and [1988] IRLR 96 – HC
James v Eastleigh Borough Council [1989] IRLR 318 – CA
Strathclyde Regional Council v Porcelli [1986] IRLR 134 – CS
Newstead v Department of Transport and HM Treasury [1985] IRLR 299
Watches of Switzerland Ltd v Savell [1983] IRLR 141
Gill and Coote v El Vinos Co Ltd [1983] IRLR 206 – CA
Brennan v JH Dewhurst Ltd [1983] IRLR 357
Horsey v Dyfed County Council [1982] IRLR 395
612 Indirect discrimination
Clarke and Powell v Eley (IMI Kynoch Ltd) [1982] IRLR 131
612.1 Indirect discrimination – Requirement/condition with which fewer women can comply
Clymo v Wandsworth London Borough Council [1989] IRLR 241
R v Secretary of State for Education ex parte Schaffter [1987] IRLR 53 – HC
Greater Glasgow Health Board v Carey [1987] IRLR 484
Home Office v Holmes [1984] IRLR 299
Watches of Switzerland Ltd v Savell [1983] IRLR 141
Francis and others v British Airways Engineering Overhaul Ltd [1982] IRLR 10
Clarke v Eley (IMI) Kynoch Ltd and Eley (IMI) Kynoch Ltd v Powell [1982] IRLR – EAT 482 and [1982] IRLR 131 – IT
612.15 Indirect discrimination – Requirement/condition with which fewer women can comply – Full-time work
Clymo v Wandsworth London Borough Council [1989] IRLR 241
Pearse v City of Bradford Metropolitan Council [1988] IRLR 379
Kidd v DRG (UK) Ltd [1985] IRLR 190
Home Office v Holmes [1984] IRLR 299
612.2 Indirect discrimination – Whether justifiable
Clymo v Wandsworth Borough Council [1989] IRLR 241
Cobb and others v Secretary of State for Employment and Manpower Services Commission [1989] IRLR 464
Rainey v Greater Glasgow Health Board [1987] IRLR 26 – HL
R v Secretary of State for Education ex parte Schaffter [1987] IRLR 53 – HC
Greater Glasgow Health Board v Carey [1987] IRLR 484
Kidd v DRG (UK) Ltd [1985] IRLR 190
Home Office v Holmes [1984] IRLR 299
Clarke v Eley (IMI) Kynoch Ltd and Eley (IMI) Kynoch Ltd v Powell [1982] IRLR 482 – EAT and [1982] IRLR 131 – IT
612.3 Indirect discrimination – To detriment
Clymo v Wandsworth London Borough Council [1989] IRLR 241
Turner v Labour Party and Labour Party Superannuation Society [1987] IRLR 101 – CA
Home Office v Holmes [1984] IRLR 299
Watches of Switzerland Ltd v Savell [1983] IRLR 141
Clarke v Eley (IMI) Kynoch Ltd and Eley (IMI) Kynoch Ltd v Powell [1982] IRLR 482 – EAT and [1982] IRLR 131 – IT
614.2 Discrimination against married persons – Indirect discrimination
Kidd v DRG (UK) Ltd [1985] IRLR 190
615 Relevant circumstances the same or not materially different
Equal Opportunities Commission for Northern Ireland's Application, Re [1989] IRLR 64 – NIHC
Pearse v City of Bradford Metropolitan Council [1988] IRLR 379
Kidd v DRG (UK) Ltd [1985] IRLR 190
Hayes v Malleable Working Men's Club and Institute and Maughan v North East London Magistrates' Court Committee [1985] IRLR 367
Horsey v Dyfed County Council [1982] IRLR 395
616 Victimisation
Wileman v Minilec Engineering Ltd [1988] IRLR 144
Cornelius v University College of Swansea [1987] IRLR 141 – CA
618 Sexual harassment
Wileman v Minilec Engineering Ltd [1988] IRLR 144
Cornelius v University College of Swansea [1987] IRLR 141 – CA
Snowball v Gardner Merchant Ltd [1987] IRLR 397
Balgobin and Francis v London Borough of Tower Hamlets [1987] IRLR 401
Strathclyde Regional Council v Porcelli [1986] IRLR 134 – CS and [1984] IRLR 467
622 Exclusions and exceptions – Claim in time
Calder v James Finlay Corporation Ltd [1989] IRLR 55
Foster v South Glamorgan Health Authority [1988] IRLR 277
623.1 Exclusions and exceptions – Excluded cases – Less than six employees
Commission of the European Communities v United Kingdom of Great Britain and NI [1984] IRLR 29 – ECJ
Oliver v JP Malnick & Co [1983] IRLR 456
623.2 Exclusions and exceptions – Excluded cases – Private households
Commission of the European Communities v United Kingdom of Great Britain and NI [1984] IRLR 29 – ECJ
623.3 Exclusions and exceptions – Excluded cases – Midwives
Commission of the European Communities v United Kingdom of Great Britain and NI [1984] IRLR 29 – ECJ
623.4 Exclusions and exceptions – Excluded cases – Work ordinarily outside GB
Haughton v Olau Line (UK) Ltd [1986] IRLR 465 – CA
625 Exclusions and exceptions – Retirement or death provisions
Newstead v Department of Transport and HM Treasury [1988] IRLR 66 – ECJ, [1985] IRLR 299
Duke v GEC Reliance (formerly Reliance Systems Ltd) [1988] IRLR 118 – HL and [1987] IRLR 139 – CA
Foster and others v British Gas plc [1988] IRLR 354 – CA
Rolls-Royce plc v Doughty [1987] IRLR 447
Marshall v Southampton and South-West Hampshire Area Health Authority (Teaching) [1986] IRLR 140 – ECJ and [1983] IRLR 237
Roberts v Tate & Lyle Industries Ltd [1986] IRLR 150 – ECJ
Barber v Guardian Royal Exchange Assurance Group and Roberts v Tate & Lyle Food & Distribution [1983] IRLR 240
Garland v British Rail Engineering Ltd [1982] IRLR 111 – ECJ and [1982] IRLR 257 – HL
Burton v British Railways Board [1982] IRLR 116 – ECJ
626.2 Exclusions and exceptions – Genuine occupational qualifications – Decency or privacy
Etam plc v Rowan [1989] IRLR 150
Sisley v Britannia Security Systems Ltd [1983] IRLR 404
626.3 Exclusions and exceptions – Genuine occupational qualifications – Employee lives on premises
Sisley v Britannia Security Systems Ltd [1983] IRLR 404
627 Exclusions and exceptions – National security etc
Johnston v Chief Constable of the Royal Ulster Constabulary [1986] IRLR 263 – ECJ
631 Discrimination by employers – Selection arrangements
Brennan v JH Dewhurst Ltd [1983] IRLR 357
632 Discrimination by employers – Terms offered
Clymo v Wandsworth London Borough Council [1989] IRLR 241
634 Discrimination by employers – Promotion, transfer or training
Watches of Switzerland Ltd v Savell [1983] IRLR 141
Francis and others v British Airways Engineering Overhaul Ltd [1982] IRLR 10
635 Discrimination by employers – Benefits, facilities or services
Calder v James Finlay Corporation Ltd [1989] IRLR 55
Clymo v Wandsworth London Borough Council [1989] IRLR 241
636 Discrimination by employers – Dismissal
Marshall v Southampton and South-West Hampshire Area Health Authority (Teaching) [1986] IRLR 140 – ECJ
Roberts v Tate & Lyle Industries Ltd [1986] IRLR 150 – ECJ
Hayes v Malleable Working Men's Club and Institute and Maughan v North East London Magistrates' Court Committee [1985] IRLR 367
Clarke and Powell v Eley (IMI) Kynoch Ltd [1982] IRLR 131
637 Discrimination by employers – Other detriments
Calder v James Finlay Corporation Ltd [1989] IRLR 55
Clymo v Wandsworth London Borough Council [1989] IRLR 241
Balgobin and Francis v London Borough of Tower Hamlets [1987] IRLR 401
De Souza v Automobile Association [1986] IRLR 103 – CA
Strathclyde Regional Council v Porcelli [1986] IRLR 134 – CS and [1984] IRLR 467
Home Office v Holmes [1984] IRLR 299
645 Liability of employers and principals
Balgobin and Francis v London Borough of Tower Hamlets [1987] IRLR 401
654 Discrimination by others than employers – Education authorities
R v Birmingham City Council ex parte EOC [1989] IRLR 173 – HL, [1988] IRLR 430 – CA and [1988] IRLR 96 – HC
655 Discrimination by others than employers – Providers of facilities or services
James v Eastleigh Borough Council [1989] IRLR 318 – CA
Gill and Coote v El Vinos Co Ltd [1983] IRLR 206 – CA
667 Positive action – Control compliance
R v London Borough of Islington ex parte Building Employers' Confederation [1989] IRLR 382 – HC
681 Individual remedies – Compensation
Wileman v Minilec Engineering Ltd [1988] IRLR 144
Marshall v Southampton and South-West Hampshire Area Health Authority (No.2) [1988] IRLR 325
681.1 Individual remedies – Compensation – Intention to discriminate
Clarke and Powell v Eley (IMI Kynoch Ltd) [1982] IRLR 131
681.2 Individual remedies – Compensation – Injury to feelings
Wileman v Minilec Engineering Ltd [1988] IRLR 144
Snowball v Gardner Merchant Ltd [1987] IRLR 397
681.22 Compensation – Injury to feelings – Aggravated damages
City of Bradford Metropolitan Council v Arora [1989] IRLR 442
681.3 Individual remedies – Compensation – Loss of earnings and other benefits

Wileman v Minilec Engineering Ltd [1988] IRLR 144
Marshall v Southampton and South-West Hampshire Area Health Authority (No.2) [1988] IRLR 325
681.6 Compensation – Exemplary damages
City of Bradford Metropolitan Council v Arora [1989] IRLR 442
681.94 Individual remedies – Compensation – Interest
Southampton and South-West Hampshire Area Health Authority v Marshall (No.2) [1989] IRLR 459 and [1988] IRLR 325
693 Tribunal procedure
City of Bradford Metropolitan Council v Arora [1989] IRLR 442
Snowball v Gardner Merchant Ltd [1987] IRLR 397
694 Forms for questioning
City of Bradford Metropolitan Council v Arora [1989] IRLR 442
Greater Glasgow Health Board v Carey [1987] IRLR 484
696 Discovery
Dean v Islamic Foundation [1982] IRLR 290 – CA
698 Effect of European Community law
Clymo Ltd v Wandsworth London Borough Council [1989] IRLR 241
Southampton and South-West Hampshire Area Health Authority v Marshall (No.2) [1989] IRLR 459 and [1988] IRLR 325
Secretary of State for Employment v Levy [1989] IRLR 469
Newstead v Department of Transport and HM Treasury [1988] IRLR 66 – ECJ and [1985] IRLR 299
Duke v GEC Reliance (formerly Reliance Systems Ltd) [1988] IRLR 118 – HL and [1987] IRLR 139 – CA
Foster v South Glamorgan Health Authority [1988] IRLR 277
Foster and others v British Gas plc [1988] IRLR 354 – CA
R v Secretary of State for Education ex parte Schaffter [1987] IRLR 53 – HC
Rolls-Royce plc v Doughty [1987] IRLR 447
Marshall v Southampton and South-West Hampshire Area Health Authority (Teaching) [1986] IRLR 140 – ECJ and [1983] IRLR 237
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Johnston v Chief Constable of the Royal Ulster Constabulary [1986] IRLR 263 – ECJ
Newstead v Department of Transport and HM Treasury [1985] IRLR 299
Commission of the European Communities v United Kingdom of Great Britain and NI [1984] IRLR 29 – ECJ
Barber v Guardian Royal Exchange Assurance Group and Roberts v Tate & Lyle Food & Distribution Ltd [1983] IRLR 240
Garland v British Rail Engineering Ltd [1982] IRLR 111 – ECJ, and [1982] IRLR 257 – HL
Burton v British Railways Board [1982] IRLR 116 – ECJ

700 RACE RELATIONS
701 Meaning of "employee"
Daley v Allied Suppliers Ltd [1983] IRLR 14
711 Direct discrimination
Commission for Racial Equality v Dutton [1989] IRLR 8 – CA
West Midlands Passenger Transport Executive v Singh [1988] IRLR 186 – CA
Noone v North West Thames Regional Health Authority [1988] IRLR 195 – CA and [1987] IRLR 357
London Borough of Barking & Dagenham v Camara [1988] IRLR 373
Simon v Brimham Associates [1987] IRLR 307 – CA
De Souza v Automobile Association [1986] IRLR 103 – CA
Showboat Entertainment Centre Ltd v Owens [1984] IRLR 7
Chiu v British Aerospace plc and others [1982] IRLR 56
Perera v Civil Service Commission and Department of Customs and Excise [1982] IRLR 147
Din v Carrington Viyella Ltd (Jersey Kapwood Ltd) [1982] IRLR 281
Owen & Briggs v James [1982] IRLR 502 – CA
712 Indirect discrimination
Showboat Entertainment Centre Ltd v Owens [1984] IRLR 7
712.1 Indirect discrimination – Requirement/condition with which fewer of a racial group can comply
Commission for Racial Equality v Dutton [1989] IRLR 8 – CA
Hampson v Department of Education and Science [1988] IRLR 87
Meer v London Borough of Tower Hamlets [1988] IRLR 399 – CA
Orphanos v Queen Mary College [1985] IRLR 349 – HL
Raval v DHSS and Civil Service Commission [1985] IRLR 370
Mandla and Mandla v Lee and Park Grove Private School Ltd [1983] IRLR 209 – HL and [1983] IRLR 17 – CA
Perera v Civil Service Commission and Department of Customs and Excise [1983] IRLR 166 – CA and [1982] IRLR 147
Chiu v British Aerospace plc and others [1982] IRLR 56
712.16 Indirect discrimination – Requirement/condition with which fewer of a racial group can comply – Age
Perera v Civil Service Commission and Department of Customs and Excise [1982] IRLR 147
712.2 Indirect discrimination – Whether justifiable
Commission for Racial Equality v Dutton [1989] IRLR 8 – CA
Hampson v Department of Education and Science [1989] IRLR 69 – CA and [1988] IRLR 87
Orphanos v Queen Mary College [1985] IRLR 349 – HL
Raval v DHSS and Civil Service Commission [1985] IRLR 370
Mandla and Mandla v Lee and Park Grove Private School Ltd [1983] IRLR 109 – HL
Ojutiku and Oburoni v MSC [1982] IRLR 418 – CA
Chiu v British Aerospace plc and others [1982] IRLR 56
712.3 Indirect discrimination – To detriment
Raval v DHSS and Civil Service Commission [1985] IRLR 370
713 Racial grounds or group
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R v CRE ex parte Westminster City Council [1985] IRLR 426 – CA and [1984] IRLR 230 – HC
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Orphanos v Queen Mary College [1985] IRLR 349 – HL
713.4 Racial grounds or group – Ethnic origins
Commission for Racial Equality v Dutton [1989] IRLR 8 – CA
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Mandla and Mandla v Lee and Park Grove Private School Ltd [1983] IRLR 17 – CA
715 Victimisation
Aziz v Trinity Street Taxis [1988] IRLR 204 – CA and [1986] IRLR 435
716 Relevant circumstances the same or not materially different
Orphanos v Queen Mary College [1985] IRLR 349 – HL
Perera v Civil Service Commission and Department of Customs and Excise [1983] IRLR 166 – CA
722 Exclusions and exceptions – Claim in time
Barclays Bank plc v Kapur and others [1989] IRLR 387 – CA and [1989] IRLR 57
Dodd v British Telecom plc [1988] IRLR 16
Din v Carrington Viyella Ltd (Jersey Kapwood Ltd) [1982] IRLR 281
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Deria and others v General Council of British Shipping [1986] IRLR 108 – CA
726 Exclusions and exceptions – Genuine occupational qualifications
Tottenham Green Under Fives' Centre v Marshall [1989] IRLR 147
726.5 Exclusions and exceptions – Genuine occupational qualifications – Provision of personal services
Tottenham Green Under Fives' Centre v Marshall [1989] IRLR 147
London Borough of Lambeth v CRE [1989] IRLR 379
728 Exclusions and exceptions – Acts done under statutory authority
Hampson v Department of Education and Science [1988] IRLR 87
General Medical Council v Goba [1988] IRLR 425
731 Discrimination by employers – Selection arrangements
Meer v London Borough of Tower Hamlets [1988] IRLR 399 – CA
Perera v Civil Service Commission and Department of Customs and Excise [1982] IRLR 147
732 Discrimination by employers – Terms offered
Barclays Bank plc v Kapur and others [1989] IRLR 57
733 Discrimination by employers – Refusal to offer employment
Noone v North West Thames Regional Health Authority [1988] IRLR 195 – CA and [1987] IRLR 357
Din v Carrington Viyella Ltd (Jersey Kapwood Ltd) [1982] IRLR 281
Owen & Briggs v James [1982] IRLR 502 – CA
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735 Discrimination by employers – Benefits, facilities or services
Barclays Bank plc v Kapur and others [1989] IRLR 387 – CA and [1989] IRLR 57
737 Discrimination by employers – Detriments
Barclays Bank plc v Kapur and others [1989] IRLR 387 – CA and [1989] IRLR 57
De Souza v Automobile Association [1986] IRLR 103 – CA and [1985] IRLR 87
Kingston v British Railways Board [1984] IRLR 146 – CA and [1982] IRLR 274
BL Cars and another v Brown and others [1983] IRLR 193
742 Discriminatory advertising
London Borough of Lambeth v CRE [1989] IRLR 379
743 Instructions to discriminate
Showboat Entertainment Centre Ltd v Owens [1984] IRLR 7
BL Cars and another v Brown and others [1983] IRLR 193
Commission for Racial Equality v Imperial Society of Teachers of Dancing [1983] IRLR 315
744 Pressure to discriminate
Commission for Racial Equality v Imperial Society of Teachers of Dancing [1983] IRLR 315
745 Liability of employers and principals
Irving and Irving v Post Office [1987] IRLR 289 – CA
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Kingston v British Railways Board [1982] IRLR 274
751 Discrimination by others than employers – Qualifying bodies
Hampson v Department of Education and Science [1989] IRLR 69 – CA
753 Discrimination by other than employers – Vocational training bodies
Ojutiku and Oburoni v MSC [1982] IRLR 418 – CA
755 Discrimination by others than employers – Providers of facilities or services
Tejani v Superintendent Registrar for the District of Peterborough [1986] IRLR 502 – CA
London Borough of Hillingdon v Commission for Racial Equality [1982] IRLR 424 – HL
756 Discrimination by others than employers – Employment agencies
Commission for Racial Equality v Imperial Society of Teachers of Dancing [1983] IRLR 315
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Prestige Group plc, In re [1984] IRLR 166 – HL and [1983] IRLR 408 – HC
Commission for Racial Equality v Amari Plastics Ltd [1982] IRLR 252 – CA
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772 Enforcement by CRE – Issue of non-discrimination notice
R v Commission for Racial Equality ex parte Westminster City Council [1985] IRLR 426 – CA and [1984] IRLR 230 – HC
773 Enforcement by CRE – Appeal against non-discrimination notice
Commission for Racial Equality v Amari Plastics Ltd [1982] IRLR 252 – CA
781 Individual remedies – Compensation
Orphanos v Queen Mary College [1985] IRLR 349 – HL
781.2 Individual remedies – Compensation – Injury to feelings
Alexander v Home Office [1988] IRLR 190 – CA
Noone v North West Thames Regional Health Authority [1988] IRLR 195 – CA and [1987] IRLR 357
781.22 Compensation – Injury to feelings – Aggravated damages
City of Bradford Metropolitan Council v Arora [1989] IRLR 442
781.6 Compensation – Exemplary damages
City of Bradford Metropolitan Council v Arora [1989] IRLR 442
782 Individual remedies – Action recommendation
North West Thames Regional Health Authority v Noone [1987] IRLR 357 and No.2 [1988] IRLR 530 – CA
793 Tribunal procedure
City of Bradford Metropolitan Council v Arora [1989] IRLR 442
Dodd v British Telecom plc [1988] IRLR 16
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Commission for Racial Equality v Amari Plastics Ltd [1982] IRLR 252 – CA

794 Forms for questioning

City of Bradford Metropolitan Council v Arora [1989] IRLR 442

796 Discovery

West Midlands Passenger Transport Executive v Singh [1988] IRLR 186 – CA and [1987] IRLR 351

British Library v Palyza and Mukherjee [1984] IRLR 306

797 Further particulars

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800 EMPLOYMENT PROTECTION RIGHTS

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Lavery v Plessey Telecommunications Ltd [1983] IRLR 202 – CA and [1982] IRLR 180

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Gregory v Tudsbury Ltd [1982] IRLR 267

900 MISCELLANEOUS LEGISLATION

Associated British Ports and others v TGWU [1989] IRLR 399 – HL, [1989] IRLR 305 – CA and [1989] IRLR 291 – HC

R v London Borough of Ealing and others ex parte Times Newspapers Ltd and others [1987] IRLR 129 – HC

NCB v NUM and others [1986] IRLR 439 – HC

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920 Truck Acts/Wages Act

Bristow v City Petroleum Co Ltd [1987] IRLR 340 – HL and [1985] IRLR 459 – HC

Riley v Joseph Frisby [1982] IRLR 479

921 Unlawful deduction from wages

Pename Ltd v Paterson [1989] IRLR 195

Jackson v Foster Wheeler (London) Ltd [1989] IRLR 283

922 Meaning of "wages"

Jackson v Foster Wheeler (London) Ltd [1989] IRLR 283

930 Trade Union Act

Elliott v SOGAT [1983] IRLR 3

ASTMS v Parkin [1983] IRLR 448

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Armagh District Council v Fair Employment Agency for Northern Ireland [1984] IRLR 234 – NICA

970 Transfer of Undertakings Regulations

Litster and others v Forth Dry Dock & Engineering Co Ltd (formerly Forth Estuary Engineering Ltd) and another [1989] IRLR 161 – HL, [1988] IRLR 289 – CS and [1986] IRLR 59

Cowell v Quilter Goodison & Co Ltd and another [1989] IRLR 392 – CA

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Canning v Niaz and McLoughlin [1983] IRLR 431

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979 EEC Transfer of Undertakings Directive

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P Bork International A/S v Foreningen af Arbejdsledere i Danmark [1989] IRLR 41 – EC

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Cleveland County Council v Springett and others [1985] IRLR 131

R v CAC ex parte BTP Tioxide Ltd [1982] IRLR 60 – HC

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R v CAC ex parte BTP Tioxide Ltd [1982] IRLR 60 – HC

1270 Confidentiality

Sun Printers Ltd v Westminster Press Ltd and another [1982] IRLR 290 – CA

1300 UNION MEMBERSHIP AGREEMENTS

Home Delivery Services Ltd v Shackcloth [1984] IRLR 470

National Society of Operative Printers, Graphical and Media Personnel v Kirkham [1983] IRLR 70

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Sakals v United Counties Omnibus Co Ltd [1984] IRLR 474

Young and others v United Kingdom [1983] IRLR 35 – ECHR

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1400 COLLECTIVE AGREEMENTS

1410 Legal enforceability

Marley v Forward Trust Group Ltd [1986] IRLR 369 – CA and [1986] IRLR 43

NCB v NUM and others [1986] IRLR 439 – HC

Monterosso Shipping Co Ltd v ITF [1982] IRLR 468 – CA

1500 INDUSTRIAL ACTION

Merkur Island Shipping Corporation v Laughton and others [1983] IRLR 26 – CA

1511 Contemplation or furtherance of trade dispute

Associated British Ports and others v TGWU [1989] IRLR 291 – HC

London Underground Ltd v NUR [1989] IRLR 341 – HC

News Group Newspapers and others v SOGAT '82 and others [1986] IRLR 337 – HC

Thomas and others v NUM (South Wales Area) and others [1985] IRLR 136 – HC

Dimbleby & Sons Ltd v NUJ [1984] IRLR 161 – HL and [1984] IRLR 67 – CA

Norbrook Laboratories Ltd v King and Norbrook Laboratories Ltd v Sands [1984] IRLR 200 – NI CA and [1982] IRLR 456 – NIHC

Messenger Newspapers Group Ltd v NGA (1982) [1984] IRLR 397 – HC

Mercury Communications Ltd v Scott-Garner and POEU [1983] IRLR 494 – CA and [1983] IRLR 485 – HC

Hadmor Productions Ltd and others v Hamilton and another [1982] IRLR 102 – HL

Universe Tankships Inc of Monrovia v International Transport Workers' Federation and others [1982] IRLR 200 – HL

1512 Due notice of strike

Boxfoldia Ltd v National Graphical Association (1982) [1988] IRLR 383 – HC

1513 Inducement to breach of contract

Union Traffic Ltd v TGWU and others [1989] IRLR 127 – CA

Boxfoldia Ltd v National Graphical Association (1982) [1988] IRLR 383 – HC

Metropolitan Borough of Solihull v National Union of Teachers [1985] IRLR 211 – HC

Express & Star Ltd and others v NGA (1982) and another [1985] IRLR 455 – HC

1516 Union as agent for member

Associated British Ports and others v TGWU [1989] IRLR 291 – HC

Boxfoldia Ltd v National Graphical Association (1982) [1988] IRLR 383 – HC

1517 Union liability

Express & Star Ltd and others v NGA (1982) and another [1986] IRLR 222 – CA and [1985] IRLR 455 – HC

News Group Newspapers Ltd and others v SOGAT '82 and others [1986] IRLR 337 – HC

Richard Read (Transport) Ltd v NUM (South Wales Area) and George M Read Ltd v NUM (South Wales Area) [1985] IRLR 67

Thomas and others v NUM (South Wales Area) and others [1985] IRLR 136 – HC

Messenger Newspapers Group Ltd v NGA (1982) [1984] IRLR 397 – HC

1518 Peaceful picketing

Union Traffic Ltd v TGWU and others [1989] IRLR 127 – CA

Rayware Ltd and another v TGWU and another [1989] IRLR 134 – CA

News Group Newspapers Ltd and others v SOGAT '82 and others [1986] IRLR 337 – HC

Thomas and others v NUM (South Wales Area) and others [1985] IRLR 136 – HC

British Airports Authority v Ashton and others [1983] IRLR 287 – HC

Mersey Dock and Harbour Co v Verrinder and others [1982] IRLR 152 – HC

1520 Tort immunities

Shipping Co Uniform Ltd v International Transport Workers' Federation [1985] IRLR 71 – HC

Galt (Procurator Fiscal) v Philp and others [1984] IRLR 156 – HC

Merkur Island Shipping Corporation v Laughton and others [1983] IRLR 218 – HL and [1983] IRLR 26 – CA

Hadmor Productions Ltd and others v Hamilton and another [1982] IRLR 102 – HL

Plessey Co plc and another v Wilson and others [1982] IRLR 198 – CS

1523 Tort immunities – Breach of contract

Barretts & Baird (Wholesale) Ltd and others v IPCS [1987] IRLR 3 – HC

1525 Tort immunities – Strike ballot

Associated British Ports and others v TGWU [1989] IRLR 291 – HC

London Underground Ltd v NUR [1989] IRLR 341 – HC

British Railways Board v NUR [1989] IRLR 349 – CA and [1989] IRLR 345 – HC

Monsanto plc v TGWU [1986] IRLR 406 – CA

Metropolitan Borough of Solihull v National Union of Teachers [1985] IRLR 211 – HC

1540 Secondary action

Shipping Co Uniform Ltd v International Transport Workers' Federation [1985] IRLR 71 – HC

Thomas and others v NUM (South Wales Area) and others [1985] IRLR 136 – HC

Messenger Newspapers Group Ltd v NGA (1982) [1984] IRLR 397 – HC

1543 Secondary action – Suppliers/customers

Dimbleby & Sons Ltd v NUJ [1984] IRLR 161 – HL and [1984] IRLR 67 – CA

Merkur Island Shipping Corporation v Laughton and others [1983] IRLR 218 – HL and [1983] IRLR 26 – CA

Marina Shipping Ltd v Laughton and Shaw [1982] IRLR 20 – CA

1560 Tort liability
Dimbleby & Sons Ltd v NUJ [1984] IRLR 67 – CA
Mersey Dock & Harbour Co v Verrinder and others [1982] IRLR 152 – HC
1561 Tort liability – Interference with business by unlawful means
Associated British Ports and others v TGWU [1989] IRLR 305 – CA and [1989] IRLR 291 – HC
Barretts & Baird (Wholesale) Ltd and others v IPCS [1987] IRLR 3 – HC
Shipping Co Uniform Ltd v International Transport Workers' Federation [1985] IRLR 71 – HC
Messenger Newspapers Group Ltd v NGA (1982) [1984] IRLR 397 – HC
Merkur Island Shipping Corporation v Laughton and others [1983] IRLR 26 – CA
Hadmor Productions Ltd and others v Hamilton and another [1982] IRLR 102 – HL
Plessey Co plc and another v Wilson and others [1982] IRLR 198 – CS
Norbrook Laboratories Ltd v King and Norbrook Laboratories Ltd v Sands [1982] IRLR 456 – NIHC
1562 Tort liability – Trespass
Norbrook Laboratories Ltd v King and Norbrook Laboratories Ltd v Sands [1984] IRLR 200 – NICA and [1982] IRLR 456 – NIHC
1563 Tort liability – Nuisance
News Group Newspapers Ltd and others v SOGAT '82 and others [1986] IRLR 337 – HC
Thomas and others v NUM (South Wales Area) and others [1985] IRLR 136 – HC
Messenger Newspapers Group Ltd v NGA (1982) [1984] IRLR 397 – HC
Norbrook Laboratories Ltd v King and Norbrook Laboratories Ltd v Sands [1982] IRLR 456 – NI HC
1564 Tort liability – Interference with contract by unlawful means
Union Traffic Ltd v TGWU and others [1989] IRLR 127 – CA
Barretts & Baird (Wholesale) Ltd and others v IPCS [1987] IRLR 3 – HC
Falconer v ASLEF and NUR [1986] IRLR 331
News Group Newspapers Ltd and others v SOGAT '82 and others [1986] IRLR 337 – HC
Shipping Co Uniform Ltd v International Transport Workers' Federation [1985] IRLR 71 – HC
Thomas and others v NUM (South Wales Area) and others [1985] IRLR 136 – HC
Merkur Island Shipping Corporation v Laughton and others [1983] IRLR 218 – HL and [1983] IRLR 26 – CA
1565 Tort liability – Intimidation
News Group Newspapers Ltd and others v SOGAT '82 and others [1986] IRLR 337 – HC
Thomas and others v NUM (South Wales Area) and others [1985] IRLR 136 – HC
Messenger Newspapers Group Ltd v NGA (1982) [1984] IRLR 397 – HC
1566 Tort liability – Assault
Thomas and others v NUM (South Wales Area) and others [1985] IRLR 136 – HC
1567 Tort liability – Inducing breach of statutory duty
Associated British Ports and others v TGWU [1989] IRLR 399 – CA, [1989] IRLR 305 – CA and [1989] IRLR 291 – HC
1570 Criminal offences and picketing
Thomas and others v NUM (South Wales Area) and others [1985] IRLR 136 – HC
Galt (Procurator Fiscal) v Philp and others [1984] IRLR 156 – HC
British Airports Authority v Ashton and others [1983] IRLR 287 – HC
Elsey v Smith (Procurator Fiscal) [1983] IRLR 292 – HC
1572 Criminal offences and picketing – Breach of the peace
Moss and others v McLachlan [1985] IRLR 76 – HC
R v Mansfield Justices ex parte Sharkey and others [1984] IRLR 496 – HC
1573 Criminal offences and picketing – Obstruction of the police
Moss and others v McLachlan [1985] IRLR 76 – HC
1581 Remedies – Damages
Boxfoldia Ltd v National Graphical Association (1982) [1988] IRLR 383 – HC
Norbrook Laboratories Ltd v King and Norbrook Laboratories Ltd v Sands [1984] IRLR 200 – NICA and [1982] IRLR 456 – NIHC
Messenger Newspapers Group Ltd v NGA (1982) [1984] IRLR 397 – HC
1581.9 Remedies – Damages – Interest
Boxfoldia Ltd v National Graphical Association (1982) [1988] IRLR 383 – HC
1582 Remedies – Injunction
Barretts & Baird (Wholesale) Ltd and others v IPCS [1987] IRLR 3 – HC
Messenger Newspapers Group Ltd v NGA (1982) [1984] IRLR 397 – HC
Norbrook Laboratories Ltd v King and Norbrook Laboratories Ltd v Sands [1982] IRLR 456 – NI HC
1583 Remedies – Declaration
Messenger Newspapers Group Ltd v NGA (1982) [1984] IRLR 397 – HC
1590 Court procedure
Monterosso Shipping Co Ltd v ITF [1982] IRLR 468 – CA
1596 Court procedure – Interlocutory relief
Union Traffic Ltd v TGWU and others [1989] IRLR 127 – CA
Associated British Ports and others v TGWU [1989] IRLR 305 – CA and [1989] IRLR 291 – HC
London Underground Ltd v NUR [1989] IRLR 341 and 343 – HC
British Railways Board v NUR [1989] IRLR 349 – CA and [1989] IRLR 345 – HC
Barretts & Baird (Wholesale) Ltd and others v IPCS [1987] IRLR 3 – HC
News Group Newspapers Ltd and others v SOGAT '82 and others [1986] IRLR 337 – HC
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Austin Rover Group Ltd v AUEW (TASS) [1985] IRLR 162 – HC
Metropolitan Borough of Solihull v National Union of Teachers [1985] IRLR 211 – HC
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Hadmor Productions Ltd and others v Hamilton and another [1982] IRLR 102 – HL
Mersey Dock and Harbour Co v Verrinder and others [1982] IRLR 152 – HC
Plessey Co plc and another v Wilson and others [1982] IRLR 198 – CS
Express Newspapers plc and others v Mitchell and others [1982] IRLR 465 – HC
1598 Court procedure – Contempt
Kent Free Press v NGA and others [1987] IRLR 267 – HC
Express & Star Ltd and others v NGA (1982) and another [1986] IRLR 222 – CA and [1985] IRLR 455 – HC
News Group Newspapers Ltd and others v SOGAT (1982) [1986] IRLR 227 – CA
Richard Read (Transport) Ltd v NUM (South Wales Area) and George M Read Ltd v NUM (South Wales Area) [1985] IRLR 67 – HC
Austin Rover Group Ltd v AUEW (TASS) [1985] IRLR 162 – HC
Express Newspapers plc and others v Mitchell and others [1982] IRLR 465 – HC

1600 HANDLING REDUNDANCIES
1601 Definition of redundancy
Association of University Teachers v University of Newcastle-upon-Tyne [1988] IRLR 10
1620 Timing of consultation
E Green & Son (Castings) Ltd and others v ASTMS and AUEW [1984] IRLR 135
1640 Consultation requirements
Sovereign Distribution Services Ltd v TGWU [1989] IRLR 334
TGWU v Ledbury Preserves (1928) Ltd [1985] IRLR 412
E Green & Son (Castings) Ltd and others v ASTMS and AUEW [1984] IRLR 135
1650 Special circumstances
E Green & Son (Castings) Ltd and others v ASTMS and AUEW [1984] IRLR 135
1652 Special circumstances – Insolvency
Angus Jowett & Co v NUTGW [1985] IRLR 326
1660 Protective award
E Green & Son (Castings) Ltd and others v ASTMS and AUEW [1984] IRLR 135
1662 Protective award – Just and equitable
Sovereign Distribution Services Ltd v TGWU [1989] IRLR 334
1663 Protective award – Seriousness of employer's default
Sovereign Distribution Services Ltd v TGWU [1989] IRLR 334
Angus Jowett & Co v NUTGW [1985] IRLR 326
1667 Protective award – Offsetting payments
Vospèr Thornycroft (UK) Ltd v TGWU and GMBATU [1988] IRLR 232
1671 Protective award – Date of commencement of protected period
TGWU v Ledbury Preserves (1928) Ltd [1986] IRLR 492
E Green & Son (Castings) Ltd and others v ASTMS and AUEW [1984] IRLR 135

2200 TRADE UNIONS AND INDIVIDUALS
Iwanuszesak v GMBATU [1988] IRLR 219 – CA
Boxfoldia Ltd v National Graphical Association (1982) [1988] IRLR 383 – HC
Paul and Fraser v NALGO [1987] IRLR 413 – HC
Hamlet v GMBATU [1986] IRLR 293 – HC
Elliott v SOGAT [1983] IRLR 3
2210 Exclusion from membership
Saunders v Bakers, Food & Allied Workers' Union [1986] IRLR 16
Goodfellow and others v NATSOPA [1985] IRLR 3
Hughes v TGWU [1985] IRLR 382 – HC
Clark v NATSOPA [1985] IRLR 494
Howard v NGA [1984] IRLR 250 – CA and [1983] IRLR 440, 442 and 445
National Society of Operative Printers, Graphical and Media Personnel v Kirkham [1983] IRLR 70
2250 Expulsion from membership
McGhee v TGWU [1985] IRLR 198
Cheall v APEX [1983] IRLR 215 – HL, [1982] IRLR 362 – CA and [1982] IRLR 91 – HC
2260 Breach of union rules
Loosley v NUT [1988] IRLR 157 – CA
Goring v British Actors Equity Association [1987] IRLR 122 – HC
Taylor and others v NUM (Derbyshire Area) and others [1985] IRLR 99 – HC, [1985] IRLR 65 – HC and [1984] IRLR 440 – HC
Thomas and others v NUM (South Wales Area) and others [1985] IRLR 136 – HC
Hopkins v National Union of Seamen [1985] IRLR 157 – HC
Bourne v Colodense Ltd [1985] IRLR 339 – CA
Taylor and Foulstone v NUM (Yorkshire Area) and NUM [1984] IRLR 445 – HC
2270 Remedies
Taylor and another v NUM (Derbyshire Area) and others [1985] IRLR 99 – HC
2271 Remedies – Injunction
Taylor and another v NUM (Derbyshire Area) and others [1985] IRLR 99 – HC and [1984] IRLR 440 – HC
Taylor and Foulstone v NUM (Yorkshire Area) and NUM [1984] IRLR 445 – HC
2272 Remedies – Declaration
Clarke and others v Chadburn and others [1984] IRLR 350 – HC
Taylor and others v NUM (Derbyshire Area) and others [1984] IRLR 440 – HC
2273 Remedies – Compensation
Saunders v Bakers, Food & Allied Workers' Union [1986] IRLR 16
Howard v NGA [1984] IRLR 489
2274 Remedies – Damages
Taylor and another v NUM (Derbyshire Area) and others [1985] IRLR 99 – HC
2296 Remedies – Interlocutory relief
Loosley v NUT [1988] IRLR 157 – CA
Longley v NUJ and others [1987] IRLR 109 – CA
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R v Certification Officer ex parte Electrical Power Engineers' Association [1989] IRLR 338 – HC
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2510 Liability generally
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2511 Liability – Authorisation of act
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2512 Liability – Endorsement of act
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2513 Liability – Repudiation of act
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2524 Responsible persons – Other employed official
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2580 Amalgamations
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R v London Borough of Islington ex parte Building Employers' Confederation [1989] IRLR 382 – HC
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3400 Statutory offences
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3410 Statutory offences – Failure to discharge general duty
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3430 Failure to discharge specific duties – Policy statement
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3500 Employer's liability
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3590 Damages
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3592 Damages – Loss of amenity
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3597.1 Damages – Deductions – Redundancy payment
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3597.2 Damages – Deductions – Payments made under permanent health insurance scheme
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3598 Damages – Contributory negligence
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3599 Damages – Limitation
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4192 Costs
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5200 SCHEDULE 11
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